

Whitewater Obstructionists, by James Ring Adams

THE AMERICAN SPECTATOR®

APRIL/MAY 1994

A MONTHLY REVIEW EDITED BY R. EMMETT TYRRELL, JR.

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Love and Hate in Arkansas

L.D. Brown's Story, by Daniel Wattenberg



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ABOUT THIS MONTH

by

Wladyslaw Pleszczynski

IF I WATCH anything weeknights at 11:35, it's usually "Nightline" (especially if Cokie Roberts is hosting). But on March 30 I opted for David Letterman's monologue. What a charmer! His very first joke centered on the troubles he's having computing his taxes. Why? He couldn't remember if he'd loaned money to Mrs. Kelley. Since I don't write for Letterman, he failed to follow up with other references to Bill Clinton's fishy press conference of March 24. Let me fill you in.

For instance, there was Big Bill's mention of little-known NYU professor Stephen Gillers, "a widely respected national expert on legal ethics" whose comments from an unspecified "interview" Bill cited to give himself and Hillary a clean bill of ethical and professional health. What Bill didn't say, and what hasn't been reported, is that the "interview" was aired on Democrat State Radio's (i.e., National Public Radio's) "All Things Considered"—which, incidentally, on the day of the press conference neglected to report on Rep. Jim Leach's historic House speech in its opening news summary. (For a deft reading of that speech, and much, much more, see James Ring Adams on page 22.) As David Brock noted in *The Real Anita Hill*, Gillers is an adviser to the Nation Institute, whose "Supreme Court Watch" did what it could to sabotage Clarence Thomas. On occasion Gillers contributes to the *Nation*, the institute's parent magazine. My favorite such piece is his 1984 anniversary celebration of Berkeley's Free Speech Movement, in which he lamented that "concern for others has yielded to concern for self and the pursuit of personal gain." How's that for an apt quote, Bill? And here's an even better one, from Gillers's year-old essay on the Packwood case: "... the familiar story of any older man who takes advantage of his powerful position to impose himself on younger women." (For details on how it's done, see Daniel Wattenberg, page 32.)

Then there's the press conference T-ball softball placed by *USA Today's* Deborah Mathis ("... Have you taken any lessons from this *ordeal*, whether it's about the presidency, about the process, about the city, or anything?"). It turns out that Mathis, a former Little Rock television reporter, is one of the seven women named by Troopers Patterson and Perry as Bill Clinton's steady girlfriends. Her name has been linked with Clinton for some time. In a February 10, 1992 *Newsweek* column, she denied any romantic ties to Clinton. Indignantly, she wrote of people calling her about "how to reach Gennifer Flowers—like we had some *harem* or something going on up there in Little Rock" (my italics, her word). On April 18, 1992, she explained those old rumors to the *Atlanta Journal and Constitution*: "He was vibrant, young and powerful; add it up and you've got a helluva aphrodisiac. We all know that celebrities attract groupies, and I think people just expected him to use that to his sexual advantage." Mathis, by the way, concluded the press conference with another planted question, about welfare reform, in answer to which Clinton hoped to appear presidential as he left the podium.

P.S. To give this month's investigations longer newsstand life, we are calling this issue the April-May *TAS*. Rest assured this will have no bearing on subscriptions, and you will receive 12 issues for every year on your order.

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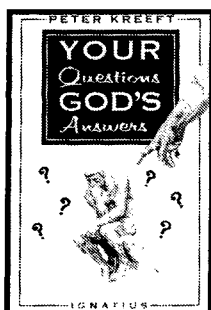
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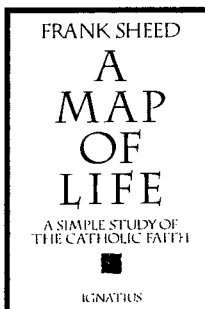
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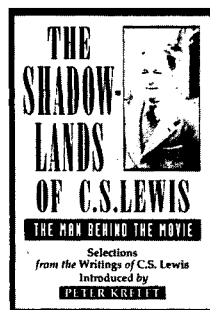
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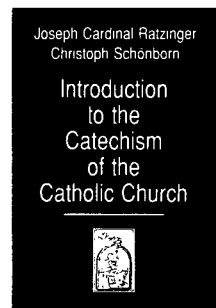
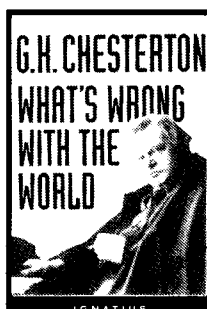


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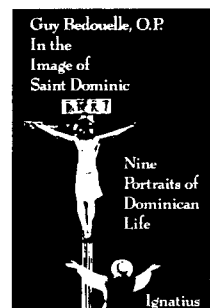
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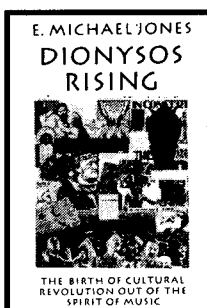
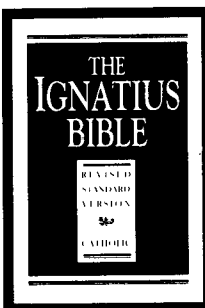
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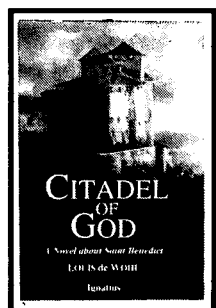


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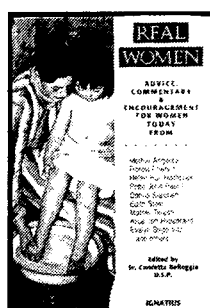
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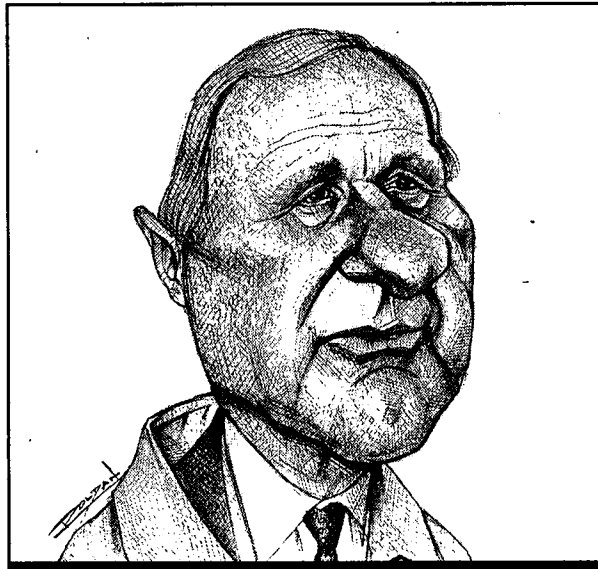
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Our commitment to important investigative work has required a revision in this month's production schedule. To preserve this issue's freshness on newstands, we have labeled it April/May. Rest assured this will have no bearing on subscriptions, and you will receive 12 issues for every year on your order. Thank you!

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• As March—a month crapulent with unwelcome news stories for America's greatest president since Jimmy Carter—wobbles off into eternity, President Bill Clinton's White House galoots are in a panic to locate Nobel laureate Professor Steven Weinberg. He could be just the man the Clintons need to put Whitewatergate behind them, and Troopergate and Paula Corbin Jones—with her unseemly charges that in a historic room in Little Rock's Excelsior Hotel she was amazed when Governor Bill Clinton lowered his pantaloons, approached her frontally with a fully tumid organ, and asked her to confer with him intimately. Now she is considering filing sexual harassment charges against America's most cerebral president since Jimmy Carter. But who is Professor Weinberg, and is he from Arkansas? Has he ever been in trouble with the law? Does he have a police record? Has he spent any time in a state correctional facility? If so—and if he is from Arkansas—he probably has been one of the Clintons' financial supporters. Perhaps the Clintons have even socialized with him. Maybe they had a business partnership together. A prodigious number of the Clintons' friends and business partners have experienced legal difficulties and worse, despite associating with America's most righteous president since Jimmy Carter.

• So who is Professor Steven Weinberg? He is the eminent physicist whose theory of the universe provides metaphysical scaffolding that just might save our big lovable lug of a president from further scrutiny. Professor Weinberg's researches have led him to the hypothesis that the universe is "pointless," even the orbits of the earth, even the editorials in the *New York Times*, even the Oscar Awards ceremony. Well, if this be so, what point can possibly be served by congressional inquiries, or more news stories about meetings between the White House and various investigative branches of the government, dubious exertions by Associate

Attorney General Webster Hubbell, his unanticipated resignation, White House Counsel Bernard Nussbaum's resignation, Hillary's insider commodity trades, her land deals, her selling short of pharmaceutical stocks as her husband mau-maued the pharmaceutical industry, her legal work for shaky banks regulated by her husband's appointees, her refusal to hold a press conference? These constitute but a sampling of the unwelcome news stories that made the press in March. If Nobel laureate Weinberg is correct, all are pointless; but, then, so is the Clinton presidency and even the big bulbous ichthyophallic fellow himself. We live in pointless times, which makes it all the more curious that so many in Washington work so hard for power and boodle.

• Secretary of State Warren Christopher's March 11 meetings with Chinese Deputy Foreign Minister Tian Zeng Pei got off to a very rocky start. The week before Mr. Christopher's arrival, the Chinese had the brass to arrest China's leading dissident, Mr. Wei Jingsheng, despite Mr. Christopher's expressed solicitude for human-rights conditions in China. Then, when Mr. Christopher arrived in Peking, he was curtly notified that the Chinese would not honor his presence, neither with a banquet nor an official welcoming at the airport. In fact, when he arrived at the airport it took our anile secretary of state an embarrassingly long time to hail a taxi and then his driver overcharged him. At the Chinese ministry of foreign affairs he was repeatedly given false directions to the deputy foreign minister's office. All told he stood in line at the building's information booth for an hour, and the guards confiscated his 1957 Kodak Brownie. When a helpful cleaning lady finally led him to the deputy foreign minister's office, the secretaries pretended that he was the local delivery man for Domino's Pizza. Things got no better for Mr. Christopher when he returned to Washington. Before he had left, President Clinton had not been able to

find time to consult with him, and when he returned he still was not allowed a meeting with his boss.

• In Stockholm, Prince, the largest toad in captivity, died of natural causes, notwithstanding the growing popularity of "toad licking" among Swedish thrill-seekers who lick the slime from toads in pursuit of hallucinogenic bliss. Also appearing in the obituary pages were Mr. Lewis Grizzard, 47, author of *Don't Bend Over in the Garden, Granny, You Know Them Taters Got Eyes*; and in Cambridge, England, Sir Vincent Wigglesworth. The felicitously named Professor Wigglesworth was one of the world's leading researchers into the physiology of insects. His first book, *Insect Physiology*, has been called a classic, and was probably among the 300 books that President Bill Clinton tells us he read in his first year at Oxford. Unfortunately, it will be years before researchers know for sure because there is no record at the Oxford University library that the young Clinton ever took any books out. Sir Vincent's 1970 book *Insect Hormones* established him, in the words of the *Times* of London, as "the acknowledged world authority" on the subject. *Insect Hormones* might also be read as an early study of the causes of feminism, though this was not Sir Vincent's intention. Originally hoping to become a medical doctor, Sir Vincent became interested in insects after observing his younger brother. He leaves three sons, a daughter, and a house in dire need of a visit from the Orkin man.

• The *Milwaukee Journal* reports that Mr. Jeffrey Dahmer, the convicted killer and dismemberer of seventeen men and boys, has been the recipient of private charity amounting to \$12,000. Apparently Mr. Dahmer had entered upon a letter-writing campaign to soft touches around the world. An English woman sent him a donation of \$5,920, and a 74-year-old nun sent him \$10 to reimburse him for postage on two "art" books she received from

him. The nun, obviously another casualty of Vatican II, is reported to have said, "He did awful things, but way deep down he isn't a mean kid." Mr. Pete Hamill reports in *Esquire* magazine that former heavyweight champion and convicted frotteur Mr. Mike Tyson has become an intellectual. He now spends many waking hours in prison reading biographies of Karl Marx and Genghis Kahn, as well as the works of Machiavelli, Ernest Hemingway, F. Scott Fitzgerald, and Arthur Ashe.

• America's war against women continues, just as Faludi warned it would. In East Brunswick, New Jersey, Miss Theresa Miller, 43, the celebrated fortune-teller, was arrested for allegedly defrauding an unnamed man of \$8,000. She conned the chap into rubbing an egg and placing it beneath his bed so as to "remove evil." He even had to pay for the egg! In Chardon, Ohio, Miss Tabetha Dougan, "the kissing bandit," has been charged with robbing men after rendering them unconscious by slipping tranquilizers into their mouths whilst engaged in open-mouth kissing. When the men awaken they are happy but often bereft of expensive cars and jewelry, according to

police reports. Miss Dougan protests her innocence, but she lost a major defender in media in mid-March when Mrs. Norman Lear announced that she is closing *Lear's* magazine

• In Washington, D.C., organizers of a banquet to reunite homeless men with their children were congratulating themselves on a stupendous success after only one of the fathers was charged with assault. The unnamed knight-errant of the streets walloped an unruly 16-day-old infant, apparently after his attempts at bonding proved futile. Fifth graders at Los Berros School in progressive Lompoc, California, were enjoying recess with their pet chick when a hawk swooped down and grabbed the bewildered hatchling, flew to the top of a nearby telephone pole, and ate it. The school children's teacher, the eloquent and impassioned Miss Lori Stitch, showed a stiff upper lip, asseverating that at least her pupils "learned about the food chain." But she did lament that their chick, Peep Jr., "never knew another chicken."

• It seems that suspected spy Mr. Aldrich Hazen Ames was not completely without public spirit. According to the Federal Election Commission, Mr. Ames con-

tributed as much as \$5,000 from 1990 to 1991 to the Democratic National Committee. And March witnessed a historic first. White House chef Mr. Pierre Chambrin was caught in the act of poisoning the First Family with high-fat foods and luscious sauces. Mrs. Clinton's praetorian guard fell upon M. Chambrin and three other members of the White House kitchen early in the month, as truckloads of butter, cream, detestable *fromages*, *pâté de foie gras*, and a substance resembling chocolate were spotted entering the White House grounds. No arrests have been made but the plot seemed to extend far beyond the White House when White House forces loyal to Mrs. Clinton discovered that an usher, Mr. Chris Emery, had made as many as four telephone calls this past year to the wife of former President George Bush somewhere in Texas. Mr. Emery has also been removed, but the Clintons remain edgy. Never before has there been an attempt on the life of the president through the White House kitchen, though such treachery haunted the reign of the Borgias and was a constant worry to the Venetian doges. The White House is in Crisis again.

—RET



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Readers Fight Back

As soon as I read David Brock's account of President Bill Clinton's extramarital affairs in *The American Spectator's* January issue, I knew that I would not miss the following issue. I knew the Correspondence section would hold wonders of liberal hypocrisy not seen since the 1993 budget "fight." . . . Finally the day came, and I held the February issue of *The American Spectator* in my trembling hands. With great trepidation, I turned to the Correspondence section. Would I be disappointed by what I found there? Would everything I knew to be true about liberals and liberal hypocrisy be cast away with the perusal of the next few pages? Hey, did Gorby end the Cold War and single-handedly bring peace in our time? For there, right there in the Correspondence section, were page after glorious page of the finest examples of liberal hypocrisy since Ted Kennedy sat in judgment of Clarence Thomas's character. And not that namby-pamby Dee Dee Myers-George Stephanopoulos double-talk type liberal hypocrisy, either. This was full throated, lusty, screaming, I-am-outraged, I-am-ashamed, cancel-my-subscription, industrial-strength liberal hypocrisy. Yessir, the full measure of liberal hypocrisy came whining through. The personification of liberal hypocrisy. The very *essence* of liberal hypocrisy. It was liberal hypocrisy so potent that at times it even bled into those letters which sounded almost conservative. It even had references to book burning and censorship. It was truly awesome.

And so, to letter writers St. John, Brown, Hoffman, *et al.*, please accept my heartiest congratulations for a job well done. You were magnificent.

—Jeffrey C. Ayer
Yorba Linda, California

I wasn't aware that you had so many whining, sniveling, sixties crybabies as readers and subscribers. The people lauding Mr. Brock's exposé on the First Cesspool have a pretty good grasp on reality. The whiners on the other hand seem to be in reality denial and don't have a very good grasp on just what this country is really all about. For the whiners, I have to say: "Patriotism means to stand by

the country. It does *not* mean to stand by the president or any other public official, save exactly to the degree in which he himself stands by the country. It is *patriotic* to support him insofar as he efficiently serves the country. It is *unpatriotic* not to oppose him to the exact extent that by inefficiency or otherwise he fails in his duty to stand by the country. In either event, it is *unpatriotic not to tell the truth*, whether about the president or anyone else . . ." The emphasis is mine, but the words belong to Theodore Roosevelt.

—Michael E. Martin
El Verano, California

Addressing Dr. Parchia's comment in the correspondence section of February's issue it must be pointed out that *treason* is the betrayal of one's country by giving aid to the enemy. Patriotic Americans should be more concerned about their president's relations with the enemies of this country during the Cold War rather than articles written under a still-somewhat intact First Amendment.

If Mr. Clinton's credibility has been weakened it is due to his own reckless and often immoral behavior, not to the very few members of the media who have been courageous enough to call him to account for his actions.

I have no doubt there were many Germans in the thirties and forties who were concerned about the actions and values of their leader but were not free to challenge him. We are not only free to challenge our president to face up to the consequences of his actions, but it is *patriotic* to do so.

To all Americans, consider the consequences of *your* actions: It is America that must be defended, not the president. There is a difference.

—Maureen McSpadden
Phoenix, Arizona

I must compliment you on the balance of your Correspondence section in the February issue regarding David Brock's article. Few magazines of opinion, either on the left or the right, would bend over backwards like you did, giving your opponents more space than your supporters.

Unfortunately, some conservatives consider their social conservatism more

important than the issues raised. If Brock's article reads like something out of the *National Enquirer*, it is because the subject demanded it. . . .

Your critics say that you never say anything positive about President Clinton. I'm sure you will, when he does something positive. To be fair to the president, at least he once went so far as to give Ronald Reagan some credit for ending the Cold War, something most liberals refuse to do. . . . I wish liberals would get over their belief in their own infallibility before it becomes terminal.

—Anthony P. Danno
Glendale, Arizona

February's Correspondence introduced me to Barbara Goodwin, Dr. Earl Parchia, Harry and Verda Burns, Carmela Chirico, Ruth St. John, and Freda Burks. All of these patriots proudly defended the presidency of the United States from the vile attacks of the "treasonous" David Brock. It was not the *office* of the president that planted flowers in Astroturf, it was Bill Clinton.

I was so touched by the writings of these great Americans that I ran a Nexis name search. I was shocked to discover that none of these seven purveyors of balance, justice, and apple pie found it necessary to defend Ronald Reagan's presidency and George Bush's presidency from the scurrilous attacks of the left. I'll just bet these folks did not even laugh at the Dan Quayle jokes. . . .

—Thomas J. George
Richardson, Texas

The February issue of *The American Spectator* was excellent. I was especially intrigued by the negative letters you received about David Brock's article. Beneath the invective, their common message appeared to be that the truth of Brock's article is irrelevant. What matters, apparently, is not whether the Clintons did illegal and immoral things, but that (in the opinion of the letter writers) the Clintons' policies will help the country, and they should therefore not be criticized.

Presumably, these critics would not demand the same restraint for, say, President Reagan, since his policies—being in opposition to those of the

Clintons—would (again, in their opinion) hurt the country.

In essence, their argument is: People who agree with us are above the law; people who don't, aren't. That's a formula for tyranny.

—Richard W. Fulmer
Houston, Texas

Quite revealing was the letter by Dr. Earl Parchia. His observations seem to indicate that it was okay for the media to delve into a *candidate's* past, but once elected none of the past mattered anymore. After all, he is the president now. It is bad enough that individuals of questionable character can and do occupy very powerful positions within our government. It is another thing to give them the mantle of respectability simply because they have been able to finagle themselves into it.

Yes, I do believe that the presidency should be respected, but the respect afforded this position should first be shown by the occupant. Mr. Bob Ernst, whose letter appears just below Parchia's, very aptly indicated what the problem is with Mr. Clinton. . . .

—H. B. Jandewerth
Eagan, Minnesota

It is characteristic of the "New Christianity" to run roughshod over the warnings of Ecclesiastes against human vanity, to believe it is possible for human beings to be ingenious or evolutionary, to believe we can perceive a truth not eternally pre-existing in the mind of God, and to ignore our propensity to formulate self-worshiping ideologies from our self-serving definitions of truth. . . .

Several responses to David Brock's article displayed a typical New-Christian ideological reversal of the condemn-the-sin-not-the-sinner admonishment in characterizing Mr. Brock's soul (which only God can see) as mean and hate-filled while ignoring the objective evil and ultimate consequences of Clinton's possible fornicative abuse of office. . . .

—Edward J. Baker
Flushing, New York

The letters you received in response to the David Brock article were quite strong. One letter called *TAS* a hate-filled, poisonous, vile/vicious, scurrilous, irrational publication. Another referred to the article as pornographic. They are of course entitled to their opinion. What interested me were

the two letters accusing you of treason, plus another that called you anti-American. Were they selected for their humor potential, or are they representative of the mail you received? If the latter, does this represent a new-found liberal patriotism? Is criticizing the president about to become politically incorrect?

—John O'Donnell
Henderson, Nevada

P.S. I would rather have the letter column devote more space to serious discussion of the topics and less space to the type of letters in the February issue (i.e., cheers vs. jeers).

Comments on two letters published in the February 1994 issue:

First, Ms. Barbara S. Goodwin. Your final comment was "Who Bill Clinton sleeps with is Bill Clinton's business . . ." You sound like you must be a close, personal friend, so would you give him a message for me? When he brags to the media about his sexual escapades, it really upsets the little, ignorant people like me. When he spoke at the General Motors plant in Shreveport, Louisiana recently, he thought we would enjoy some "good old boy" bragging. He told us Louisianans that he had owned an El Camino in his younger days and that the back of it was lined with Astroturf. But, he chuckled, we wouldn't want to know why it was so lined. After much discussion, we *finally* got his drift. This is not information I would like my two young children privy to. My oldest child is the same age as Chelsea—I wonder how he explained that remark to her. Did he lie, or did he provide her with all the details?

Speaking as a Pentecostal of another affiliation, I would like to urge Dr. Earl Parchia, Pentecostal Assemblies of the World, to reconsider his admonition to "touch not a sitting president." One of the major problems today is that many Christians have stood back and allowed—even aided—people with no morals to be elected to government offices on every level. We are afraid of the sharp-tongued liberals who lash out and try to make us look like dim-witted hicks with no better sense than to believe that we were created to serve a living God. Too many of us—57 percent it seems—thought we could stop Bill Clinton from being elected president by just turning out to vote. Contrary to what you say, *now* is the time to work against him being ever elected again. It

may not always be pretty, but *The American Spectator* reports it like they see it without the fake gloss you see in most of the media. I'm more offended by what the Clintons do than I am by the fact that it is reported. God help Christians everywhere to stand up and be counted in this morally bankrupt world.

—Laura L. Dove
Anacoco, Louisiana

Your February Correspondence file was a revelation. Who'd have thought your readership contained so many intellectuals slumbering so placidly at the bosom of our contemporary monolithic sovietized press? So many who loathe the plain, awful truth? Who have no understanding of an ancient legal term, treason; or worse, see the president as their sovereign?

One of your readers, a librarian, having mentioned her own objectivity and balance, accused you of "attempt[ing] to drive public opinion down a narrow path." To counter her towering bigotry, may I say thank you for the way you persist in treating me as a literate person capable of navigating my own intellectual terrain. . . .

—John Haynes
Bakersfield, California

Appreciate David Brock's revelations re the first Marxist president of the USA.

Those who objected to the article remind me of people who once whimpered, "Stalin (or Hitler, Mao, Castro, Khadafy, Idi Amin, Ortega, et al.) is our leader, so don't offer unpleasant truths against him."

The American Spectator has a moral obligation to citizens of this country to present the facts. We therefore should thank the editors for their integrity and courage. You deserve a Pulitzer Prize.

—Leslie Woolf Hedley
Sonoma, California

Upon reading the scathingly vitriolic criticisms of your magazine and David Brock this month in the letters column, I have concluded that (a) an inordinate number of the Troopergate issues fell into the hands of ROBs (Relatives of Bill) and (b) having no substantive defense against the charges, their strategy will be to shoot the messenger. It is abundantly clear from the reaction that your story has struck a very sensitive nerve.

Legitimate subscribers, as opposed to

the curious and the usual suspects just waiting to take offense, cannot but hail your reporting and your courage in printing these stories. Drivel it is, but not your drivel. The president is the world's leading free-standing, living, breathing monument to snivel and drivel. . . .

—D. Meyers
Phoenix, Arizona

I enjoyed reading the desperate, outraged liberal responses to David Brock's article on the Clintons' misbehaviors. Not one of them defended Clinton's character. Most didn't even question Brock's veracity, merely his so-called bias and lack of corroboration. In typical liberal fashion, they were impaired in assigning responsibility for the scandal, directing their outrage not against Clinton for doing the deeds, but against Brock for reporting them. . . .

Regarding those who accused Brock of treason, I was unclear about whether they thought Brock was betraying trust by showing the world what a naughty boy Clinton is or by showing how stupid we are as a nation for electing him.

One writer found "delicious" parallels between the accusations against Clinton and the accusations against Clarence Thomas. I couldn't help but note the following differences:

(1) The troopers, whatever their motives, were not recruited by powerful politicians from Washington to engage in a fight to stop an appointment to high office. Clinton already has the job.

(2) The troopers are not without corroboration. They *are* corroboration, confirming Gennifer Flowers's accusations as well as long-standing rumors. The troopers were not a single witness; originally, four of them spoke with Brock.

(3) In contrast to Anita Hill, the troopers did not claim victim status. They were merely tattling on their boss.

(4) Prior to Hill's accusations, Clarence Thomas' character was unimpeached, Thomas having already undergone prior FBI background checks before appointments. On the other hand, Clinton and character have become oxymorons.

—H. Timothy Gregerson
Loves Park, Illinois

After Whitewatergate, how can you believe Brock is wrong?

—Apryl Jump
Paso Robles, California

What was most interesting was this: *Not one of those who assailed you fundamentally challenged the truth of what was reported.*

—Timothy Condon
Tampa, Florida

Thank you, *American Spectator*, for still being "old-fashioned" enough to understand that most of us in America aren't living the lifestyle lived by Bill and Hillary. Many of us believe that the man holding the greatest office in the world should somehow exhibit a higher level of dignity.

—Mrs. Dawn Brockman
Noblesville, Indiana

Would Dr. Earl Parchia, representing the Florida Council of the Pentecostal Assemblies of the World, who accuses TAS of treason (Does he even know the meaning of the word?) have said the same of Caesar Nero as his own body glittered in flames to light the festive Roman orgy? "We don't have to like Nero—but he's Caesar!"

My lord, what pusillanimous bog mires the minds of our religious leaders today. During the Revolution, the most feared enemy of the British was the Black Regiment—the colonial preachers who withstood the might-makes-right, divine-right-of-kings heresy of King George and his minions. Now, all a person has to do to qualify to make a doormat out of these people is to get 43 percent of the electorate to vote for him.

With Whitewater revelations in the offing, Boy Clinton may be looking at impeachment for bribery under Article II, Section 4 of the Constitution—or would that also be treason, because it "berate[s] and demean[s] a sitting president"?

—Paul deParrie
Portland, Oregon

After reading the letter to the editors by Dr. Earl Parchia, I am wondering where this gentlemen was when the *Washington Post*, the media in general, and the Congress of the United States were butchering the sitting president Richard Nixon. . . . Whatever Nixon's faults were, I never heard him attacked for moral turpitude, and he and Pat never appeared on "60 Minutes" to deny any extramarital affairs.

—Daniel H. Frazier
St. Marks, Florida

The degree of righteous indignation expressed by the hostile letters this month is just astonishing. Especially so were the two men who asked that their subscriptions be canceled. Why did they subscribe to TAS initially, if not to find David Brock and others of his point of view? . . .

Regarding the gentleman who suggested a Clinton resignation would just leave us with equally left Al Gore, at least then we would have a president perceived here and abroad as having some personal class.

—Georgia B. Makiver
Lansdowne, Pennsylvania

After reading the diatribes of hatred leveled against your magazine and David Brock (mostly by the preachers of the gospel of "tolerance"), I am struck by a vexing question. Why in God's name is no one interested in the truth? If Brock's story is accurate, then Bill Clinton is an adolescent lying sack of bovine byproducts who doesn't deserve his office. If the story is *not* true, then David Brock is a schlock journalist who is at best very gullible and at worst guilty of malicious irresponsibility. Personally, I'll stick with Brock for now. To my knowledge, no Pulitzer-seeking liberal journalist has been able to put a dent in Brock's methodical analysis of either the Anita Hill story or "Troopergate." . . .

—Wayne D. Maki
Mechanicsville, Maryland

For those who still accuse David Brock of writing his piece without corroboration, they need only look up corroboration in the dictionary. When a second person sees the same thing the first person sees, that is corroboration.

—Richard H. Lewis
Merced, California

In a previous letter to your rag, I asked that you cancel the balance of my subscription and suggested that you might send it to your favorite *whore house*. After receiving the February issue, am I to assume that you couldn't find a *whore house* worthy of *The American Spectator*?

—Marvin B. Hoffman
Newington, Connecticut

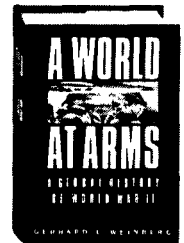
P.S. Once again, I ask you to please cancel my subscription, as my grandchildren are avid readers and I do not wish to corrupt them any more than they are. □

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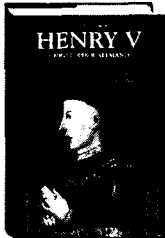
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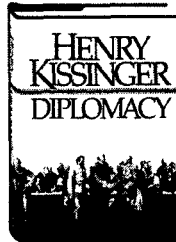
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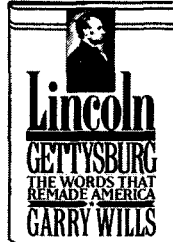
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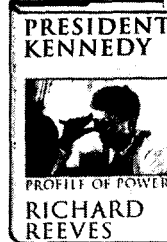
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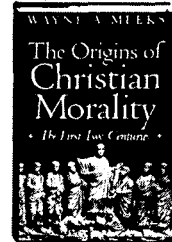
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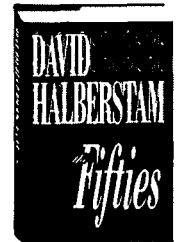
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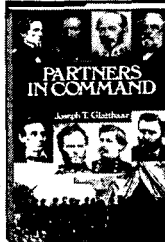
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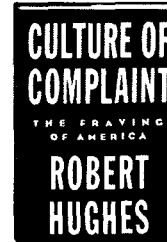
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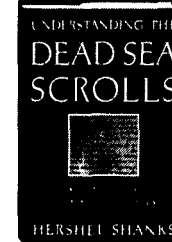
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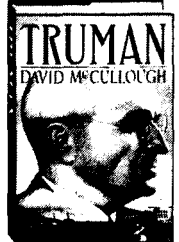
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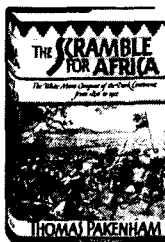
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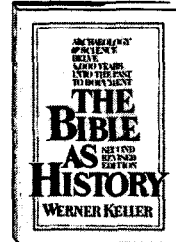
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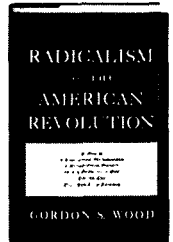
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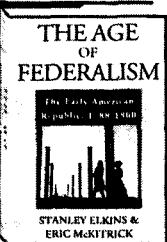
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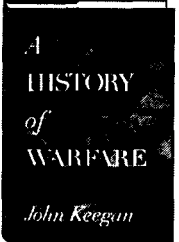
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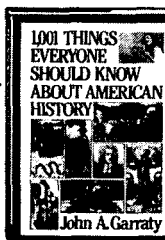
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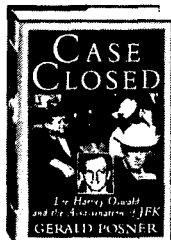
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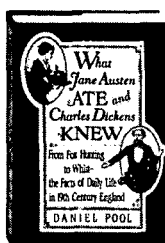
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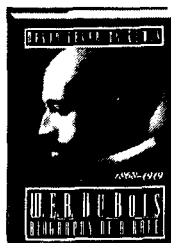
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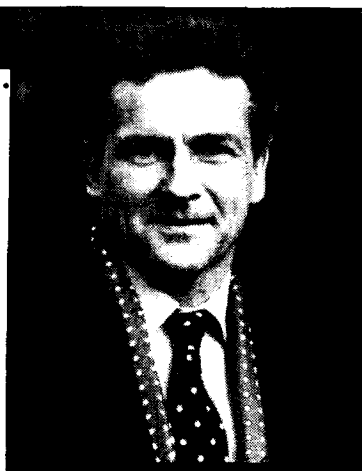
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Off Their Feed

by R. Emmett Tyrrell, Jr.

Consider the absurdity of the scene! America's journalists, possibly the most sanctimonious collection of bores since the authors of the Mayflower Compact, are now languidly flagellating themselves for engaging in a "feeding frenzy" at the expense of the Clintons. The Pilgrim bores, circa 1620, called themselves "Saints." Surely, the herd journalists of the American media consider themselves "saints" too. Just the other day Rod MacLeish, the Washington bureau chief of Monitor Radio, was solemnly beseeching another local Saint, that congenital groaner Haynes Johnson of the *Washington Post*, as to whether, apropos of Whitewatergate, all Washington was in a "feeding frenzy." "Oh, 'tis true, 'tis true," responded Dr. Johnson, "'tis all too true."

Egad! By mid-March all Washington echoed with this sort of claptrap as the anointed of the dominant media culture began to betray their sense of phony guilt. And so the media's pre-eminent moral exhibitionists raised the lament that all Washington was amuck in a "feeding frenzy" nibbling on the tender parts of Boy Clinton and his cruelly persecuted wife. But wait! The press was reporting legitimate news stories, created by the incompetents in the White House. That is no "feeding frenzy," you see. That is evidence of abuse of power, conflict of interest, and obstruction of justice. But just to keep things simple for the simpletons now carping about a "feeding

frenzy," most of the Whitewatergate news stories are reports of events recently perpetrated by the White House Machiavels.

It is not the American press's fault that President Clinton's White House counsel and Mrs. Clinton's chief of staff attended controversial meetings with Treasury officials who briefed them regarding the Clintons' involvement in federal bank probes. Reporting those meetings is the press's duty. So is reporting the recent subpoenaing of ten White House officials and the forced resignation of White House counsel Bernard Nussbaum. The other day, when Associate Attorney General Webster Hubbell resigned, was the press to look the other way, lest Haynes Johnson and Rod MacLeish descry a "feeding frenzy"? These are legitimate news stories,

which the press is duty-bound to report. For that matter the press was duty-bound to report the Clintons' petulant character assault on Republicans who sought congressional hearings into what appears to be the largest agglutination of sleaze since the Nixon administration. Arguably it is larger, involving as it might the removal of Vincent Foster's corpse.

Now Congressman Lee Hamilton, one of the most respected Democrats in Congress, has urged congressional hearings. Is he, too, engaged in a "feeding frenzy"? The Clintons' clique insists that all these stories are hoary with age. The collapse of the Madison Guaranty Savings and Loan and the Clintons' Whitewater investment date back to Ronald Reagan's decade of greed. Perhaps Hillary Clinton will charge that Ronald Reagan and Ed Meese encouraged her to take a \$2,000-a-month fee from the floundering S&L to represent that fly-by-night operation before bank regulators beholden to her husband, the Arkansas governor. Maybe she will claim that it was Michael Milken who taught her and her associates to "flip" real estate lots—occasionally several times a day, inflating their value and using these inflated values to artificially pump up their asset values. And maybe it was the Bush administration and not the governor of Arkansas that enhanced the Whitewater development by building roads into its otherwise remote hills and forests.

Okay, let bygones be bygones, but the present White House coverups are as current as the morning newspaper, and the fallout should be reported.

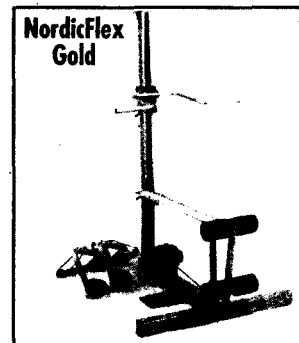
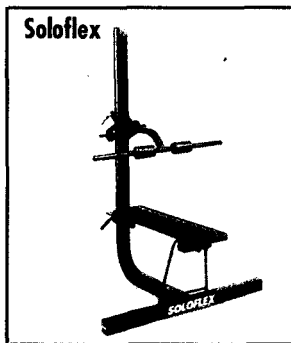
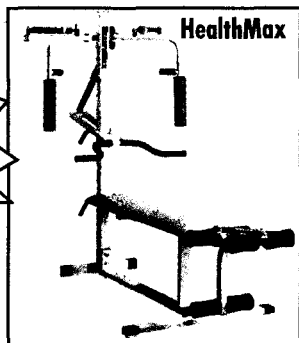


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Actually, the press has been very cautious about speaking ill of the Clintons. Washington bureau chiefs have muzzled some hard-working journalists who obviously have been sitting on information for months. That was certainly true of the *Los Angeles Times's* reluctance to publish Jonathan Rempel and Douglas Frantz's scrupulously reported story on Troopergate. And now in the immediate aftermath of Hubbell's resignation a splendidly informative story by the *Washington Post's* Howard Schneider and Sharon Walsh reports a vast amount of information about nearly a dozen of Hubbell's questionable dealings both as a lawyer at the Rose Law Firm and as associate attorney general. One wonders how long the

reporters gathered that information and if it would ever have seen the light of day without Hubbell's hasty exit.

The day after President Clinton's splendid bamboozling of a supine reportorial at his nationally broadcast press conference, the *Washington Times* broke the story that its crosstown rival had suspended star investigative reporter Michael Isikoff for two weeks. Isikoff, the *Times* wrote, had accused the *Post* of spiking a story that gave credence to the allegations of Paula Corbin Jones—namely, that then-Governor Clinton had, unbidden, exposed his private parts to her in a Little Rock hotel room.

This is not a frenzy of feeding but a frenzy of events. □

there was a day when cheap patriotism was a phony way to get ahead or make a buck; but it is more common today to get ahead and make a buck by denouncing America as a sham or worse.

As I write, very few pundits have spilled much ink condemning the Ames for betraying a country that happens to embody most of the noblest ideals of our civilization. In fact, it is a country that has nearly torn itself apart attempting to implement those ideals to the *n*th degree. No, most of the criticism has been directed at Ames not for his lack of patriotism but for putting a price on his deed—how very American! The only other criticism I have noticed has been directed at the CIA for lax security.

Well, let me file my criticism against the humbug intellectuals who have prospered by depicting American history as a chronicle of rogues and scoundrels, racists, exploiters, and war-mongers. On the one hand, you have the celebrated writer and pontificator Susan Sontag stating early in her career that which has become a common theme of America's perpetual graduate students: "America was founded on genocide. . . . It's the whole character structure of modern American man. . . . This is a doomed country, it seems to me; I only pray that when America founders it doesn't drag the rest of the planet down." Outbursts like that won her a \$340,000 grant from the MacArthur Foundation in 1990.

On the other hand, you have Strobe Talbott, whom President Bill Clinton has raised from the ranks of journalism to the second highest position in the State Department. Late in 1989, when all Americans should have been celebrating our peaceful victory in the Cold War, Talbott paused in *Time* magazine to snipe at those Cold Warriors, Democratic and Republican, who had persevered. "The doves in the Great Debate of the past 40 years," he wrote, "were right all along." What were they right about? Were they right when they called Americans war-mongers, tools of the Military Industrial Complex, capitalists intent on exploitation? Were they right when they said Moscow was peaceful and harmless? Actually the doves were wrong about almost everything, but those of them who relentlessly criticized an America that never was made it much easier for the Ames of this world to betray democracy with a clear conscience. □

Why Not Spy?

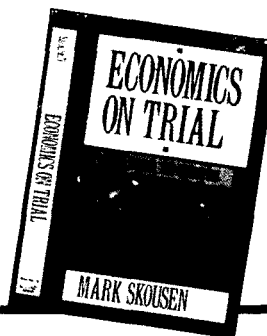
March 1 was a bleak day for the bookers over at the "Donahue" show, at Oprah, at Geraldo, and at the other talk shows. It was on that day that United States Magistrate Barry R. Poretz denied bail to the accused spies, Aldrich H. Ames and his chic South American wife Maria. Talk-show connoisseurs are going to miss a lot. Think of the fascinating stories the Ames could tell about struggling with a multicultural marriage in the smug suburbs of Virginia! Doubtless it has been a real trial dropping off their bright-eyed, idealistic youngster at a day-care center dominated by the grasping progeny of all those rich Washington lawyers and psychiatrists. And surely Mrs. Ames could spice up the proceedings with some horrified shriek about the time she caught Aldrich eating the garter belt he got her for Valentine's Day?

Doubtless there would also be appearances by the Ames on the more intellectual shows, say, "Larry King Live," and what a hit they would be on the campus lecture circuit. Aldrich, with his sophisticated demeanor and comparative youth, would make a splendid replacement for Alger Hiss. After all, he is surely more the "happening-guy" than the octogenarian Alger: no catty allusions to the early homosexuality of a Whittaker Chambers for Aldrich. He might even have the pluck to point out that New Soviet Man was

essentially gay, that feminism began with Khrushchev, and other whoppers eminently believable to an audience of American university professors. I can see him now, mesmerizing the professoriate and an audience of teacher's pets with a lecture entitled "The Surprise of Discovery": his Russian contacts were so very much like him. The KGB fellows who handed him the loot in exchange for the names of our double agents all loved their families and worried about their hairlines—ha, ha. Their concern for the environment was apparent—and for global warming, and the unwholesome abundance of red meat in little Sergei's diet. On second thought, perhaps Aldrich would not be such a hit on campus. What stupidity might he utter about America and Russia, particularly Communist Russia, that has not been resounding from progressive faculties for years?

I was taken aback at seeing the improbable Richard Cohen abominating Ames's treason in the *Washington Post*. What Ames did is simply a logical extension of what purveyors of progressive thought have been saying for years. With increasing regularity for decades now, the chic intelligentsia have been solemnizing America's shortcomings. Only Joe Sixpack and his wife Joyce fly American flags and sing America's virtues. Patriotism is laughed at. True,

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— Prof. Paul Samuelson, MIT

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- **The rich aren't paying their fair share.**
- **Marx was a misunderstood genius.**
- **The government ought to provide universal health care and guarantee everyone a job.**

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Breaking Away

by Tom Bethell

The Committee for Waco Justice turned out to be a rather pitiful group of no more than fifty people holding candles in Lafayette Square. Some carried signs, one reading "Is Your Church ATF-Approved?" They were huddled directly in front of the floodlit, silent White House. Their muffled chants—*Hey hey, ho ho, / ATF has got to go; Hey Bill Clinton, find the scoundrels, / Appoint an independent counsel* (for Waco, not Whitewater)—could hardly be heard above the Pennsylvania Avenue traffic, and there were no supportive horns or headlights flashing. In Washington terms, we didn't exist.

Jon Utley had told me about the gathering, and we stood with the group for a while. One couple, wearing "Gun Owner" buttons, said they had read about it on the Internet. Carol Moore was the organizer, and she was selling her 134-page report, *The Massacre of the Branch Davidians*, for \$7. I was glad to give her the money. Hardly anyone would see it, let alone read it. The Texas jury's verdict in the case, acquitting the survivors of murder and conspiracy, had been handed down a few days earlier, prompting Attorney General Janet Reno to say that justice had been "had." The *Washington Post* called this verdict "a professional setback for government prosecutors," which should "spur on the review of military assault-type activities that federal law enforcement agencies launched . . ."

My own feeling was that bringing murder charges against the survivors of a military assault was just one more example, although an outrageous one, of the unlimited power that the federal establishment now wields. Before the final assault on the compound, the Waco standoff engaged the attention of hun-

dreds of reporters and I must have seen dozens of stories on TV, without seeing one that bothered to explain just how the federals had claimed jurisdiction in the first place. It is simply assumed on all sides that their jurisdiction is unlimited, which in practice it is. I realized how much my whole outlook on such matters had changed when I was reading recently about the American Revolution. I found myself thinking of today's federal government as analogous to the British in the 1770s. I suspect a lot of people may feel this way, perhaps without so formulating it. What can ordinary citizens do?

The real trend in the world today is toward the decentralization of power. This has been conspicuous all over Europe, in Canada, and in the demise of the Soviet Union. Here, however, it has been held in check, thanks to the continued liberal stranglehold over policy (unchecked by twelve years of Republican "rule"). In fact, the liberal establishment increasingly resembles nothing so much as a bitter remnant of the Socialist International. Unfazed by socialist failure everywhere else, they are pursuing the further centralization of power in Washington, with the Clintons as their willing agents. Centralize, centralize! That is their agenda, most obvious of late in the realm of health care.

Washington's attention, as I write, has been totally focused on Whitewater, Vincent Foster, Webster Hubbell, the shredded documents, and so on. Underlying all this weird business is the implicit question: Who gets to steer the federal beast? What I would like to know is how we cut it down to size. Bill Clinton's Arkansas background deserves all the attention it gets, of course. He pretended in his campaign to be a "new" Democrat, but his great hero turns out to have been FDR.

He's an astute enough politician to know that the expansion of federal power is the last thing people want, so deception was integral to his strategy. More federal power would have to be dressed up as something else. For this deceit alone, he deserves to be run out of town. (Clinton, incidentally, made the tactical error of choosing as his vice president a man whom Beltway regulars would dearly love to see in the Oval Office.)

Meanwhile, what about the federal beast? I think at bottom the impatient mood in the country stems from the government's failure to respond to the end of the Cold War. For decades, many Americans were willing to tolerate a bloated federal establishment as the price for resisting Soviet expansionism. The unstated deal in Congress was that conservatives would get their expanded military in return for ever-increasing domestic programs. Now that the Cold War is over, the military is (rightly) being cut back, but domestic spending keeps on growing. A lot of people—I will not call them conservatives, let us just say normal people (still the majority)—feel frustrated as a result. Even in the (net tax-recipient) Washington area voters are said to be "angry and impatient," according to the *Washington Post*.

Initially, Ross Perot appealed to the electorate because he seemed to understand this problem and perhaps could bring change. A familiar campaign of envy-arousal by the press, stressing his great wealth, backfired in favor of Perot. His money was seen as liberating him from the usual media suspects and party power-brokers. But Perot was a disappointment. His self-confidence exceeded his grasp of the underlying issue. He just didn't get it. In promising to raise taxes to balance the budget, he fell straight into the very first trap set for him. Establishment ringleader Pete Peterson, Republican Moderate, must have been

Tom Bethell is The American Spectator's Washington correspondent.

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gleeful. Then came the NAFTA fiasco (there are valid arguments against it but Perot didn't understand them) and he ended up on cable TV making Al Gore look like a fount of wisdom.

For those who would like to see a reduction of the federal burden, Perot has not been the only false hope in recent years. Another has been the Supreme Court. And here I am not referring to Ruth Bader Ginsburg and the possibility of further Democratic appointments. The great problem is that the Supreme Court has for some time acted as the judicial-enforcement arm of Congress, making sure that the states comply with federal law, but rarely venturing to find federal law itself unconstitutional. This is almost the reverse of what the framers had in mind. Strangely, conservatives on the court believe that a law is constitutional if a sufficient number of their predecessors thought so, too. The criticism of "judicial activism" so often heard in the 1980s seems to have produced in them nothing more inspiring than a philosophy of congressional supremacy.

In recent years, Congress has enacted asset-forfeiture statutes that permit suspects (notably in drug cases) to be deprived of their property without due process of law; that is, without trial or conviction. This is so blatant a repudiation of the Fifth Amendment that even the ACLU has emerged as a latter-day defender of property rights. Recent Supreme Court rulings have chipped away at these forfeiture laws—but with the court's liberals emerging as the (admittedly faint-hearted) defenders of property. They have not been joined by Rehnquist & Co., whose view seems to be that if a law is bad, it's up to Congress to change it. In a case decided in December, Clarence Thomas "disagree[d] with the outcome reached by the Court" (a bare majority of Kennedy, Blackmun, Stevens, Souter, and Ginsburg) but was wistfully "sympathetic to its focus on the protection of property rights—rights that are central to our heritage."

Oh. So perhaps Senator Biden didn't have cause for concern after all when he waved a copy of Richard Epstein's *Takings* before the cameras at Thomas's confirmation hearings, and worried that he might be so bold as to defend our economic liberties against congressional inroads.

Since the 1930s, the Court has been a major force for the centralization of power, and Republican appointees have

either made no difference, or have been worse than the Democrats. The court acts not as a check upon Congress, but as its legal arm. With the exception of Ginsburg, the entire sitting court today was appointed by Republican presidents. Which brings us to another doleful institution, the Republican Party. Luckily for the GOP, I would guess, Clinton beat Bush in 1992; otherwise the party might be well on the way to joining Canada's Progressive Conservatives in oblivion. Clinton's troubles will no doubt revive the GOP, but to what end, other than boosting the careers of senior Republicans? The lesson of the past is that it's no good looking to the GOP to diminish federal power. Party leaders have stood for "less of the same" when out of power and "more of the same" once safely ensconced.

House minority leader Bob Michel revealed to a *Washington Post* reporter the other day how much he had changed since coming to Washington. "Man, in those early days I'd just flat out vote against foreign aid," Michel said, as though looking back in wonderment at his own youthful naïveté. Well, he's leaving, and the *Washington Post* has been saddened by that, not to say concerned that a two-party system might one day re-emerge. (Within the Beltway, political opposition to Democratic proposals is called "gridlock.")

Reporters keep reminding us how "aggressive" and "partisan" is Michel's probable successor, Newt Gingrich of Georgia. But as the columnist Robert Novak pointed out recently, Gingrich himself has been showing signs of "growing." He has toned down tax and other proposals to suit those in the liberal wing of the GOP. The other day I heard Gingrich say that Republican welfare reform would force recipients to work for their benefits. He seemed not to realize that this leads to government jobs programs and full-employment for social workers. As a result, I can reveal, Gingrich has been under consideration for the Strange New Respect Award (given to conservatives who see the progressive light), but no decision has yet been made.

Are the Feds unstoppable, then? No, good things are happening out there. Above all, politicians are unable to stop the ongoing technological revolution, a powerful force for decentralization. The Industrial Revolution took

workers out of their homes and put them in factories; the Computer Revolution is putting them back into their homes. At a time when our cities are becoming more and more hazardous as a result of the obdurate, unceasing, and quite fanatical social engineering of the underclass by the American ruling class, there are fewer and fewer reasons to live in these cities in the first place.

Another healthy development is the removal of children from government schools and the continuing growth of home-schooling. Likewise the property-rights movement (a by-product of environmentalism, which won tyrannical power for some federal agencies). There are also demographic grounds for optimism. Faith in a centrally controlled future is mostly confined to those aged 65 or older; meanwhile, those under 35 know that they are at the wrong end of a Ponzi scheme and will be lucky to get back what they are now required to contribute to the federal coffers under the guise of Social Security. The younger generation is more "conservative" in that it will embrace more fundamental changes in our government.

Term limits for politicians is something else I like. But let's not wait for the Supreme Court to tell us whether or not it's constitutional. What attracts most politicians to Washington is the prospect of spending other people's money, and of being called "compassionate" for doing so. So let's get rid of the bums by voting against incumbents, irrespective of party label.

Finally, there's the counter-revolutionary word that I have begun to hear from some of my conservative friends: secession. Walter Williams wrote a column about it in December, and he told me it elicited more mail than anything he wrote all year. Robert Nelson wrote an article for *Liberty* entitled "Secession as a First Amendment Right," and there's a fellow in Salt Lake City called Joseph Stumph who is agitating for something called the Ultimatum Resolution (too complicated to explain, but he hopes thirty-eight states will pass it). The Von Mises Institute in Alabama is soliciting papers for a conference on secession. And Howard Segermark tells me that a friend of his has on her car a bumper sticker reading: "If at first you don't secede, try, try and try again." She's from South Carolina. □

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The Obstructionists

How the Clinton administration is blocking the Whitewater inquiry on at least three fronts.

by James Ring Adams

The Whitewater affair is no longer a minor land deal in the Ozarks, if it ever was. The scandal is now calling to the bar the entire governmental ethic of the Clinton administration. Charge by charge, memo by memo, the picture accumulates of a rule by crony, bent on politicizing the most sensitive parts of the federal bureaucracy to protect the president and first lady, but primarily the president. In one facet of his complicated personality, Bill Clinton is emerging as an Ivy League version of Huey Long.

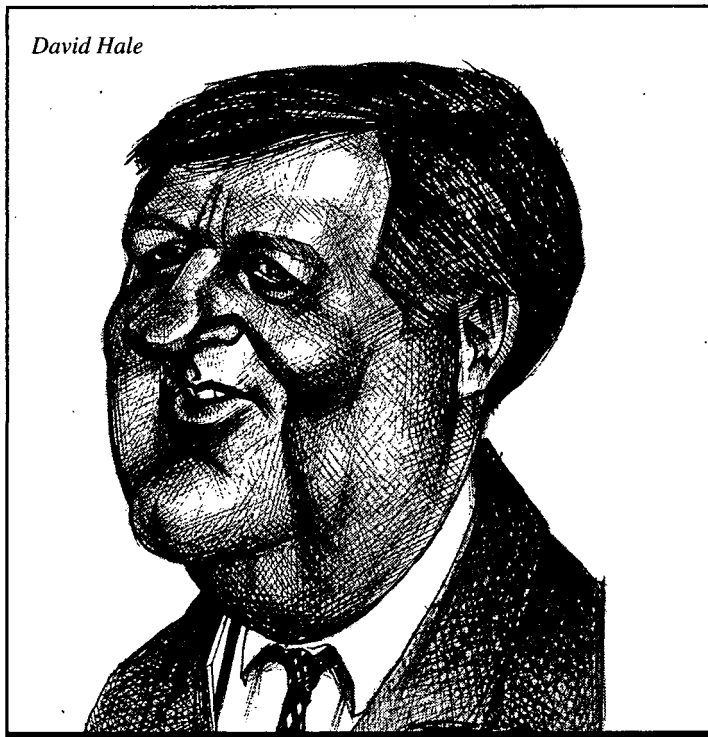
The constitutional danger comes from the unwillingness of the Democratic Congress to exercise oversight and protect the independence of the bureaucracy in its functions of regulation and criminal prosecution, areas in which the public good clearly demands independent action. The current majority has twisted the buzzword concern about "gridlock" into an excuse for a potentially vicious form of one-party rule. The fear of this evolution is the nerve that Whitewater hit in the first place.

Clinton maintains in his self-defense that he was not personally aware of the most blatant incidents of interference, the Washington-based pressure on thrift regulators recently described by Rep. James Leach (R-Iowa).

The Escalating Crisis

In recent weeks, two of the Clintons' inner circle were forced from their senior positions, and the president named a Washington fixture, Lloyd Cutler, as short-term White House counsel, a pretty good sign of disarray. Meanwhile, troubles won't be ending soon for one of the departed,

David Hale



James Ring Adams is The American Spectator's special investigator on Whitewater. He is the author of *The Big Fix: Inside the S&L Scandal* (Wiley) and co-author (with Douglas Frantz) of *A Full Service Bank: How BCCI Stole Billions Around the World* (Pocket Books).

Hillary's Rose Law Firm colleague Webster Hubbell. Questions about his tenure as number-three at the Justice Department are likely to mark the next, and most sinister, phase of the affair.

Historians may credit Deputy Treasury Secretary Roger Altman with bringing about the turning point, when he testified before the Senate Banking Committee on February 24. As interim head of the Resolution Trust Corporation, the savings-and-loan cleanup agency, Altman admitted that his RTC regulators had met with White House lawyers; the matter at hand was a series of criminal referrals about Madison Guaranty Savings and Loan, one of which is said to have mentioned the Clintons. Altman said that on February 2, he and Jean Hanson, general counsel at Treasury, met with White House counsel Bernard Nussbaum to give him a "heads-up" on the impending expiration of the statute of limitations on civil suits involving Madison. Altman described it as a procedural briefing on the way the RTC would decide which suits to bring and which to drop. Nussbaum brought

along the White House political troubleshooter Harold Ickes and Hillary Clinton's chief of staff Margaret Williams. Nearly everyone except the participants in the meeting recognized the impropriety, especially when more detail emerged later. On March 5, in the storm that followed, Clinton showed the door to Nussbaum.

Administration insiders had telegraphed Nussbaum's departure for weeks, complaining to favored journalists about his bad judgment. But any hopes he was a sufficient scapegoat were quickly dashed when Independent Counsel Robert Fiske subpoenaed nine other White House and Treasury aides, including Altman himself. The *Wall Street Journal's* Albert Hunt, a chronic late-comer to scandals involving Democrats, had just two days earlier put the potential damage with great delicacy. The "careless ad hoc campaign-type manner" of some White House staff work, he wrote, could expose one or two aides to a stay in the slammer. Both Hunt and *New York Times* man William Safire, the two poles of insider commentary, warned on that same day that in politics the cover-up is worse than the crime.

Although the congressional spotlight fell on White House contacts with the RTC, the cover-up issue isn't just a question of bank regulation. A second layer of charges involves the Justice Department. During Clinton's governorship, his political team was accused of using the criminal courts to discredit opponents. The same team until recently controlled much of federal law enforcement. It began its tenure with an unprecedented purge of all United States attorneys and quickly intervened in an ongoing trial of a political ally, Democratic Rep. Harold Ford of Tennessee. Now it stands accused of trying to ram through a

conviction of the one witness who links Bill Clinton directly to the Madison Guaranty financial scam. This charge of political interference in a criminal trial is one of the most sinister aspects yet to emerge in the Whitewater scandal.

The Railroading of David Hale

A last-minute deal with Independent Counsel Fiske forestalled the federal criminal trial of former Municipal Judge David Hale and brought the Whitewater grand jury its first major insider witness. The plea bargain takes the case to a new level, in which detailed sworn testimony implicates much of Arkansas's political elite, including Webster Hubbell's father-in-law, the sitting governor Jim Guy Tucker, and Bill Clinton himself, in illicit financial deals. (See "Beyond Whitewater," in last February's *TAS*.) The president himself has denounced the judge's tale as "bull."

Hale believes that the administration anticipated this battle from the moment he emerged as the designated fall guy for the myriad financial scandals that loomed under the label

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"Whitewatergate." He claims he was to be the token public official to take the rap and divert attention from all the others. His offenses were distant enough from the Whitewater land deal to keep the spotlight's focused in another direction. The charges involve the submission of allegedly false financial statements to the Small Business Administration. No one

claims the indictment itself was necessarily concocted; the questions come up in its aftermath, when Hale tried to buy immunity by offering incriminating information on Arkansas's political elite, and ran into an icy federal shoulder.

Hale, 53, has a broad, open face and a style that is relaxed even by the standards of a state where sworn enemies will begin a serious argument with a genial exchange of pleasantries. A pillar of his church and the Little Rock legal community, which he served for four terms as judge of the state's largest municipal court, he still has a reputation among old friends for personal honesty. Such are the business standards of the state that his standing among his peers was compromised less by his indictment than by his offer to turn state's evidence.

On the other hand, Hale, a Democratic Party operative since he headed the University of Arkansas Young Democrats, admits, "I'm no choir boy." Even before his indictment, he survived a series of scrapes over the organization and conduct of his court, one of Governor Clinton's innovations. Set up in 1979 as the state's first small-claims court, it expanded quickly into a full-scale municipal court, and Hale's appointment by a local official as presiding judge was challenged as unconstitutional. While the case worked its way up to the Arkansas supreme court, Hale suspended proceedings

but received his salary and a pay raise. When the court ruled in 1981 that the judge should be elected or named by the governor, the Republican governor who defeated Clinton re-appointed Hale and signed a bill re-establishing the court so that Hale could be eligible to seek election to the post.

But Hale also wound up in court in a number of civil suits stemming from his business deals, especially after the downfall of James B. McDougal, Bill Clinton's real estate partner and owner of the troubled Madison Guaranty Savings and Loan. The records of one troubled deal, ironically, bears out Hale's claim to have had a special relationship with then-Governor Clinton. In March 1986, Hale borrowed \$300,000 from Madison Guaranty for a shell company called the Dardanelle Development Corporation; the purpose, he later testified, was to save the family farm of office manager Caren Croom Ross. In a fit of generosity that a business associate told him was "crazy," Hale put his personal guaranty behind the mortgage.

At the same time, McDougal was negotiating with Hale for a \$300,000 loan for his wife Susan. Hale avers that Bill Clinton personally lobbied him to make this loan, which helped finance a Whitewater land deal and clean up the Madison Guaranty books.

Whatever the connection between those two transactions, Hale added a kicker to the Dardanelle mortgage that promised to cover his guaranty and return a profit. He kept 133 acres of unfarmable land for a side deal with McDougal. Madison Financial Corporation, a subsidiary of the thrift that McDougal used for his real estate deals, agreed to buy back the land at a steep profit if Hale's corporation could induce the State Highway Department to pave a nearby dirt road. Paving the road would open the parcel to development and greatly increase its value.

Well before the expiration date of his agreement with McDougal, Hale delivered on his end of the bargain. The state highway department notified Judge Hale that a contract on the road had been awarded. Hale took the letter to Madison Financial in 1989 and demanded it buy the land. But by this time federal regulators were closing down the parent S&L, and Hale was stuck with a default on his original mortgage.

Nonetheless, Hale's apparent clout with the highway department reinforces a claim he is said to have made in 1989 to another client. At a pre-trial hearing on Hale's federal indictment, Gaylord Westbrook of Monroe, Louisiana, testified that the judge had bragged about then Governor Clinton's connection to Hale's family-owned Capital-Management Services, Inc., a Little Rock lending company formed in 1979 with funding from the Small Business Administration. Westbrook says Hale told him: "Son, the

governor of Arkansas wouldn't be involved in this if we were doing anything illegal." Hale's co-defendants repeated the quote in court papers, in making a successful motion to sever their case from Hale's.

Hale first learned of his case on Wednesday morning, July 21, 1993, when FBI agents burst into his offices at Capital-Management Services with a search warrant listing twenty-five of his clients. But the sequence of events had started fatefully the day before. At 1:35 p.m. on Tuesday, July 20, the U.S. District Court in Little Rock granted the warrant to FBI agent Steven Irons. The document demanded items of great interest to the Clinton administration: Hale's papers on "Masters Marketing, Susan of [sic] James McDougal," and on two Little Rock development companies, Castle Sewer and Water Corporation and Southloop Construction. The McDougals, of course, were Bill and Hillary Clinton's part-

ners in the Whitewater land deal. The last two outfits were spin-offs from a large real estate development in Little Rock financed by McDougal's Madison Guaranty. Their legal work was handled by Jim Guy Tucker, now governor of Arkansas, and their business dealings involved Little Rock civic leader Seth

Associate Counsel William Kennedy was an old friend, and Coleman decided to tell him, in Coleman's words, that "we have clients with mutual problems developing in a federal investigation down here."

Ward, father-in-law of Webster Hubbell, who was then the newly confirmed number three at the Justice Department.

Hale surmises that the contents of the search warrant must have been known in Washington. Proof is lacking, but there is a crucial coincidence. Just hours after the warrant was issued, and after receiving calls from the Rose Law Firm in Little Rock and from the lawyer who tried to reconstruct the Clintons' Whitewater deal, Vincent Foster died from a gunshot through his mouth. His body was found later that day, neatly laid out with gun in hand, next to a cannon in Fort Marcy Park, Virginia, where only the poorly equipped U.S. Park Police had jurisdiction.

Hale found it bad enough when FBI agents began carting boxes of records from his office. Combined with Foster's death, this action left him truly spooked. He sought out a Little Rock defense attorney named Randall Coleman, who had already made a name for himself by taking on the Arkansas establishment. (In the late 1980s, Coleman brought a multi-million dollar securities fraud law suit against the powerful Worthen Bank, financier of Clinton's presidential campaign, and the Rose Law Firm, Worthen's legal ally. He received a favorable settlement, but details are sealed.) Coleman, who has a genial good-ol'-boy manner and a bulbous Huey Long nose, assured Hale that cases of this kind usually took up to eighteen months, as investigators pored over the voluminous files. He went over to the U.S. attorney's office to sound them out. There a deputy

attorney told him the government planned to issue an indictment in ten to fifteen days.

Coleman managed to win another thirty days, but, as Hale reconstructs it, he came back and said, "David, I've been practicing law for twenty-five years and I've handled some high-profile cases. But I got the strangest feeling over there. Is someone else involved in this thing?"

Hale said, "Yes, this goes from the State House to the White House," and told him about his loans to Tucker and the McDougals. Coleman went back to the U.S. attorney's office and told the deputy, "Some really high-profile people are involved." According to Hale and Coleman, the career deputy replied, "I've got eight more years to retirement. I'm not going to touch it."

Dismayed by this reaction, Coleman took a gamble that in retrospect may have been a mistake. In mid-August, he called the White House. Associate Counsel William Kennedy was an old friend, and Coleman decided to tell him, in Coleman's words, that "we have clients with mutual problems developing in a federal investigation down here." Coleman added that if Hale started talking, he could prove as embarrassing as Heidi Fleiss, the Hollywood madam.

Kennedy's "client," of course, was the president, and the associate counsel called back a few days later, says Coleman, to ask if Hale would allege that he had had any "face-to-face" meetings with Clinton. Coleman said yes, but Kennedy declined his request for a meeting in Washington. In November, White House aide Bruce Lindsey, the designated spokesman on Whitewater, acknowledged the contact to *Washington Post* reporters. He added that Kennedy had relayed Coleman's message to White House Counsel Nussbaum. But neither of the counsels took any action or alerted anyone in the White House, said Lindsey, "because they didn't take it seriously." Lindsey didn't say, and apparently wasn't asked, if Kennedy had mentioned the call to his old Rose Law Firm colleague Webb Hubbell at Justice.

If Coleman hoped to warn off the prosecutors, he soon found it wouldn't work. The new U.S. attorney was due to start work around Labor Day, replacing the Little Rock victim of Janet Reno's purge. The new appointee was Paula Casey, a former staff member for U.S. Senator Dale Bumpers who had worked in Bill Clinton's campaigns and studied law under him when he taught at the University of Arkansas Law School in Fayetteville.

Coleman met with Casey right after Labor Day and

offered Hale's cooperation. The judge, a fixture on the Little Rock political scene, could testify against public officials up to and including the governor, and would even agree to be wired in a sting operation. According to Hale and Coleman, Casey seemed receptive. "She says, 'Oh yeah. I'll get right on it,'" said Hale. "She said, 'I will get back to you.'" Coleman was in bed with a back injury and lay by his telephone waiting for her call. It never came.

"Finally, Coleman called her back," said Hale, "and she acted like she didn't know anything about it. That's when I decided to go public."

Coleman tried some last-ditch negotiations before letting Hale speak to the press. He met with Casey on September 7. By her account, she gave him a flat no on immunity or reduction of charges. Hale had to stand trial on a felony

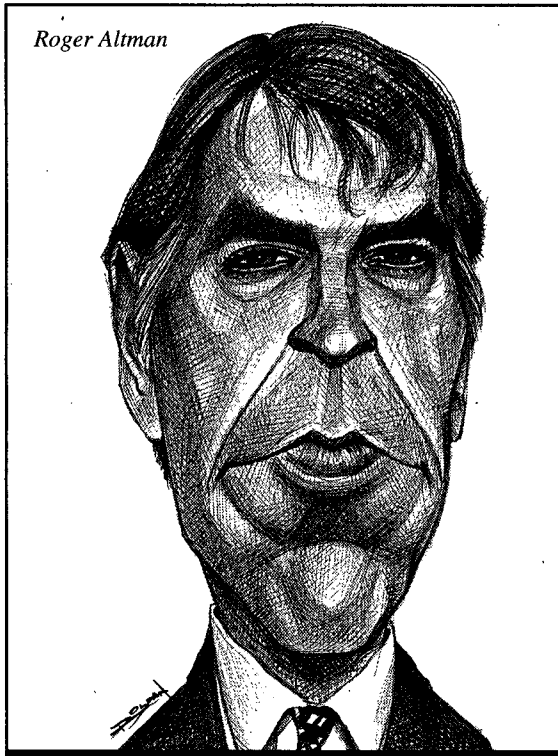
count, she said. If after conviction he were still willing to testify against others, she said, her Litigation Committee would consider filing a motion to reduce his sentence. Talk of an undercover operation dropped from sight. This is a position that experienced public prosecutors find puzzling. "Generally you try to get the guy to talk and hold prosecution in abeyance," said a highly regarded prosecutor who asked to speak on background. "I'm a little surprised they'd go ahead and try him right away."

Coleman was startled. On September 15 he wrote a letter to Casey, asking her to step aside and bring in an independent prosecutorial staff. "I can certainly understand the reluctance of anyone locally to engage in these matters," he wrote, "political realities being what they are."

Casey brushed off the suggestion in a letter dated Wednesday, September 16. The next day Hale started giving long interviews to Jeff Gerth of the *New York Times*. When Gerth called Casey for comment, she went ballistic, to use Hale's words. Hale asserts that she passed the word to stop talking to the press; otherwise, her office was going to start "stacking" charges. And indeed, she did write a letter to Coleman dated September 21, warning, "Your client faces potential criminal exposure on a number of other items." On September 23, her office put forward its indictment of Hale and didn't bother to seal it.

The public indictment obviously ended any chance of using Hale in a sting operation, although Casey tartly observed in the September 21 letter that Hale had foreclosed that option by talking to the *Times*. But Hale soon saw a sign that the plan could never have worked in the first place. A main target of the sting, just to judge by the frequency with

Roger Altman



which he came up in the documents of Madison Guaranty and Hale's lending company, would have been Governor Jim Guy Tucker. Incumbent governors and political establishments are fair game for federal prosecutions; Hale and Coleman point to recent examples in Oklahoma and Kentucky. But two weeks after the indictment, says Hale, Governor Tucker demonstrated a special relationship with the Clinton administration. On October 6, Tucker visited Clinton in the White House, his first time there since the election, for a 20-minute private meeting. Afterward, Tucker told reporters they had talked about health-care reform, highway projects, and the North American Free Trade Agreement. Calling it "Arkansas's decade" in D.C., Tucker added, "What's even more shocking than seeing former Governor Clinton in there as president is to walk through the halls and see all of these people that I know from Arkansas scattered around the White House." Tucker's schedule also included meetings with chief-of-staff Thomas F. "Mack" McLarty and then-associate attorney general Webb Hubbell.

The Case of the Vanishing Referrals

Meanwhile, Paula Casey was displaying a remarkable lack of interest in the debacle at Madison Guaranty Savings and Loan that Hale blamed for his own problems.¹ The regional office of the Resolution Trust Corporation began to wonder what had happened to the criminal referrals it had made the year before in the Madison case.

The history of these referrals produced one of the many bombshells of March, this one dropped by Rep. James Leach, ranking minority member of the House Banking Committee, at the end of a long, thoughtful letter to Independent Counsel Fiske asking for his cooperation with congressional hearings. "I am particularly concerned that officials of the Kansas City RTC office are being gagged and possibly coerced by the Washington RTC office," Leach wrote, attaching a confidential memo. This serious charge was relegated to the inside pages of the *New York Times* and *Washington Post*, pushed off page one by the White House press offensive, but Leach backed it up on March 24. When House Banking Committee Chairman Henry B. Gonzalez abruptly canceled the oversight hearings of the RTC scheduled for that date, Leach took his case to the floor of the House. His speech was polysyllabic, occasionally turgid, and delivered in an Iowa monotone; his evidence came in a stack of bureaucratic memos; but the effect was devastating. Some thirty internal documents from the Kansas City RTC traced what its lead investigator on Madison called "the beginnings of a cover-up." Although Clinton shrugged off these documents as the work of Republican appointees, all of the RTC investigators are career civil servants or temporary help. Jane Jankowski,

¹ As *TAS* reported in February, Hale lost more than half a million dollars in loans to entities involved with Madison; much of the money appears to have gone toward efforts to keep the thrift going. At least one of the loans, says Hale, was made at the direct request of Bill Clinton.

spokeswoman for the Kansas City RTC, says emphatically that none of the staff in her office are political appointees.

The RTC had written off the Madison Guaranty case after the 1990 acquittal of James McDougal and two of Susan McDougal's brothers on bank fraud charges. (Little Rock lawyers still wonder why federal prosecutors mounted such a weak case, which involved one of the least of Madison's many apparent violations.) But a March 8, 1992 *New York Times* article by Jeff Gerth reopened the Madison questions. Concerns began to percolate through the RTC bureaucracy, heated further by the discovery that a Little Rock law firm handling RTC business had hired a former Madison Guaranty employee who had been accused of fabricating at least two years' worth of the thrift's minutes. By the end of April 1992, investigators began to review the Madison Guaranty business records, jumbled in an old, poorly lit Little Rock warehouse down by the river.²

A follow-up review of the Madison case had already been assigned in 1991 to Jean Lewis of the Kansas City RTC office. It had been scheduled for late 1992, but the pace now accelerated. By the end of August, her team had prepared criminal referrals alleging a \$1.5 million check-kiting scheme by which bad checks were circulated among the business accounts controlled by McDougal or his partners. A 21-page report targeted the McDougals, and named the Clintons, not as targets for criminal prosecution, but as potential beneficiaries of allegedly illegal acts.

Since bank regulators such as the RTC are confined to civil suits and don't have power to bring criminal cases, the Kansas City branch followed long-standing procedures by referring apparent felonies to the FBI and the Justice Department. Letters went out from Kansas City to Little Rock on September 1, 1992, addressed to Steve Irons of the FBI White Collar Crimes unit and to Charles A. Banks, then the U.S. attorney for eastern Arkansas. According to a November 1993 report in the *Washington Post*, the referral listed dozens of questionable transactions. Apparently tracking federal thrift examination reports, the document reportedly mentioned business partnerships involving former Clinton aide Stephen Smith, James McDougal, and Jim Guy Tucker. It singled out bank checks that might have been involved in Clinton's 1984 campaign finances, including a post-election fund-raiser held at Madison Guaranty to help retire a \$50,000

² The Madison investigation was temporarily disrupted in May 1992 by another scandal within the RTC. RTC President Albert Casey announced a consolidation of regional offices that led to the transfer of the Madison case from Tulsa to Kansas City. This consolidation also seriously disrupted the Professional Liability Section of the RTC Legal Division, which was in charge of filing damage suits against lawyers, accounting firms, directors, and other principals of failed S&Ls. The turmoil led to charges from several regional office heads that the Bush administration was trying to shut down civil suits against politically connected S&L directors. In sharp contrast to its present reluctance to explore the Madison case, the Senate Banking Committee promptly scheduled hearings in August 1992 that gave a full airing to these charges.

personal debt incurred by Clinton himself. The referral described check-kiting and revolving overdrafts. Although *Post* reporters Susan Schmidt and Michael Isikoff had access, at the very least, to sources who had seen this document, congressional staffers say the RTC has so far refused to provide it to investigators from either the House or the Senate Banking Committee. According to others in the U.S. attorney's office, Banks immediately sent the referral to main Justice in Washington, because it was so "politically hot." And there, in the last stages of the 1992 presidential campaign, it completely dropped from sight.

The current apology is that the bureaucracy didn't want to appear to be trying to influence the election. That explanation doesn't account for the lack of action after the voting was done, although other reasons suggest themselves.

Whatever the source of the paralysis in Washington, Kansas City reacted with energy when it learned of the dropped potato. In May,

after finishing up another case, Jean Lewis began to pester Irons and the interim U.S. attorney in Little Rock for some kind of response to the referrals. A secretary in the attorney's office told Lewis her boss had said that, after the case went to Washington, "we'd probably never hear about it again." Lewis began to call main Justice, and heard first, the case wasn't in its computer, and second, it had been passed up directly to the attorney general. "Any time a referral comes in that would make the department look bad or has political implications," Lewis says she was told by a person bearing the title "ethics program manager," "it goes to the attorney general."

In June, Lewis learned that the referral had turned up in the fraud section of the criminal division, where the unidentified person assigned to it "didn't want to deal with it."³ Main Justice sent it back to Little Rock. After eight of these conversations, the Kansas City office decided to go ahead itself. Lewis took another trip to the Little Rock warehouse and noticed that the Madison records were much tidier. In fact, a number of boxes, she said, were missing. She also learned that Jim Guy Tucker's law firm, the former general counsel to Madison Guaranty, also used the warehouse. Her team spent another three months on the case, and came up with nine more criminal referrals.

As this piece of dynamite worked its way through the RTC bureaucracy, the White House, with incredible bad judgment, lit the political fuse. On September 23, Donna

Henneman, the ethics program manager who had received most of Jean Lewis's calls, asked to get copies of the transmittal letters on the upcoming new batch of criminal referrals. (Henneman worked in the central Executive Office that provides support for the U.S. attorneys around the country.) She assured Lewis, probably all in innocence, that if Little Rock stalled, the "higher-ups" at Justice would make sure something got done.

Higher-ups were at work indeed, at both Justice and Treasury. On September 29, 1993, Jean Hanson, general counsel to the Treasury Department, met one-on-one with White House Counsel Nussbaum to tell him that the new referrals would mention the Clintons. Possibly by coincidence, Lewis received a call from her contact at the Ethics Program just after noon the same day; Henneman made a formal request for copies of the referrals and exhibits and said her supervisors were considering whether to bring in the Public Integrity Section. If this request at Justice was coordinated with the White House meeting with the

Treasury officials, it puts an even more sinister cast on a contact that, up to Rep. Leach's floor statement, was one of the most damaging administration actions to have come to light.

Everything about the September 29 meeting should arouse the interest of the independent counsel, and apparently has, since Jean

But two weeks after the indictment, says Hale, Governor Tucker demonstrated a special relationship with the Clinton administration. On October 6, Tucker visited Clinton in the White House, his first time there since the election, for a 20-minute private meeting.

Hanson was one of the Treasury officials to receive a subpoena. It may well provide grist for the second criminal process to issue from the counsel's office. (Hale's case is the first.) To start with, the meeting violated elementary standards of impartiality, since the RTC is presumably not in the habit of notifying people who are about to be named in criminal referrals. If Hanson and Nussbaum discussed ways to forestall Justice Department action, they might be vulnerable to charges of obstructing justice, the violation that devastated the Nixon White House. (No one has yet said this happened.)

Meanwhile, friends of Elliott Abrams might ask how Roger Altman's performance before the Senate Banking Committee differed from the testimony that brought the Reagan State Department official to grief. (Abrams pled guilty in 1991 to two misdemeanor counts of withholding information from Congress, defined as the willful failure or refusal to provide full and complete testimony.) On February 24, Senator Phil Gramm asked Altman point-blank, "Have you or any member of your staff had any communication with the president, the first lady, or any of their representatives, including their legal counsel or any member of their White House staff, concerning Whitewater or the Madison Savings and Loan?" Altman answered "I've

³ Donald Mackay, a career lawyer in this division, later served briefly as special prosecutor in the Madison case until the appointment of independent counsel Robert Fiske.

had one substantive contact with White House staff, and I want to tell you about it." In answer to a follow-up question, he said this contact occurred "about three weeks ago." Later in his testimony, he repeated that there was only "one substantive or meaningful contact," referring to the meeting on February 2. Altman never mentioned the September 29 Hanson-Nussbaum meeting or an even better-attended follow-up. Altman's answers raise the specter of the more serious felony charge of making a false statement or obstructing a congressional inquiry. Altman's defense, that he didn't know about the earlier meetings, raises the question of just who is running the Treasury Department.

Treasury Secretary Lloyd Bentsen, one of the few old Washington hands in the administration, moved quickly to distance himself from his subordinate, referring Altman's conduct for review to an independent ethics officer. As Rep. Leach noted in his letter to Fiske, Bentsen then dodged the bullet of informing Congress by in effect pleading the Fifth. In a recent appearance before a House Appropriations subcommittee, Bentsen was asked if he knew in advance about Altman's meeting with the White House. Bentsen replied, "On advice of Mr. Fiske, the special counsel, I refuse to answer." Bentsen could pull off his stonewalling, congressional aides later discovered, because House precedents in effect said that witnesses could get away with whatever the committee chairman decided to let them get away with.

Altman himself began to send a series of letters to Senate Banking Committee Chairman Donald Riegle, revealing more meetings as his memory was prodded by press inquiries. On March 21, he admitted that talks went beyond procedural matters, and included the politically sensitive question of whether he should recuse himself from the Madison case. The prospect alarmed the White House, the *Washington Post* subsequently reported, because it meant that decisions about Madison-related lawsuits would pass out of political control. With this last letter, Sen. Al D'Amato (R-N.Y.) tartly observed, Altman had revised his Senate testimony four times.

The fact of the September 29 meeting casts a harsher light over the events of the next month, including those in Little Rock. The RTC staff handed over its renewed criminal referral in early October, and the agency formally delivered it to the Justice Department. On October 14, Nussbaum met again with Jean Hanson. This time other

White House and Treasury officials were present, including those later subpoenaed by Independent Counsel Fiske. Rumors of these diaphanous flutterings of the angel's wings (as Robert Penn Warren would have called them) began to reach Kansas City in very strange ways. Jean Lewis took another call from her friend Donna, the Ethics lady, asking if she'd received a letter from Little Rock. The new U.S. attorney, Paula Casey, had made the long-awaited formal decision on the first set of criminal referrals: she would decline to take action. The word in main Justice, Lewis heard, was that "USA Casey had stated she could 'deal' with other referrals as well." When the letter arrived, addressed to Lewis, it contained the strange statement, "I concur with the opinion of the Department attorneys that

there is insufficient information in the referral to sustain many of the allegations made by the investigators or to warrant the initiation of a criminal investigation." But this was the first notice Kansas City had received that any decision had been made by anyone.

When reporters began to ask about this curious sequence, they received the condescending admission that maybe the U.S. attorney or Justice had erred in not telling the RTC investigators months earlier what had happened to their case. Justice Department spokesman Carl Stern told the *Washington Post*, "This was not a review conducted by Paula Casey. . . . As far as I know, Paula Casey didn't participate in any decision-making." In that case, one has to

ask how Bill Clinton's former law student could dismiss the criminal referrals so soon after she received them, since there was no visible decision-making elsewhere in Justice either, except to pass the Madison file as quickly as possible to someone else. When Lewis made that point in a November 1 reply to Casey, she quickly found herself persona non grata.

"Hey you!", she E-mailed her immediate supervisors on November 10. "The Powers That Be have decided that I'm better off out of the line of fire (and I ain't arguing)."

While U.S. Attorney Casey was brushing off the RTC charges, she was also pushing hard on Hale to resolve his case. "She gave me a drop-dead date of November 8," Hale said. "She said if I didn't come on and plead guilty, she was going to add all these charges." October was a very tense time for Hale. As soon as he started talking to the press, he began to notice what

Robert Fiske



looked like a regular surveillance. Some of his apparent tails were off-duty Little Rock policemen he recognized from his municipal court. An unmarked van followed him home one day and parked for a long time near his house. He refused to do long-distance telephone interviews, and some who came to Little Rock to meet him also felt they were being watched. But Hale kept talking and refused to plead guilty.

On Monday, November 8, said Hale, Casey's office kept pressing for his decision. "All that day, they'd keep calling, keep calling," he said. "Late that day, Paula Casey calls up and says, okay, she's recused."

On Tuesday, November 9, the Justice Department made it official. Acting Assistant Attorney General John C. Keeney announced that the criminal division at main Justice would take over both Hale's case and the Madison Guaranty investigation. The release emphasized that Casey was concerned about "misperceptions," not about real conflict. "She and her staff had recused themselves,"

it read, "because of their familiarity with some of the parties." At the same time, Webb Hubbell announced that he and his staff would also avoid contact with the case. Responding to congressional pressure, the Justice Department appointed Donald B. Mackay as special prosecutor, starting the chain of events that wound up with Robert Fiske as independent counsel.

There was one discordant note, however. The announcement of Casey's recusal said she had made her decision the previous week, meaning that on Monday she was pressing Hale for a guilty plea after she supposedly had left the case.

Casey and her successor Mackay, a career lawyer in the main Justice fraud division, both refuse to answer questions about the case. "I don't have any comment on any aspect of that investigation," Casey told *The American Spectator*.

The Fall of Steve Clark

Hale had years of his personal freedom at stake, so his take on the investigation obviously reflected a very large measure of self-interest. His reaction to Mackay, and later to Independent Counsel Fiske, has been highly colored by his prospect of making a deal. But when he charges that his legal troubles serve the political ends of Bill Clinton, he can cite a dramatic precedent.

This story starts with an apparently unrelated business deal involving the Rose Law Firm and a subsidiary of Stephens Inc., two of the biggest players in the Arkansas political economy. Rose, you will remember, employed Hillary Rodham Clinton, Vincent Foster, William Kennedy, now associate White House counsel, and Webster Hubbell.

At Rose, says one report, they worked together so closely they were called the Four Musketeers. Stephens Inc., the largest privately owned brokerage house outside of Wall Street, was the center of power for brothers Witt and Jackson Stephens, kingmakers in Arkansas politics long before Bill Clinton came on the scene. In 1989, Stephens Inc. was trying to salvage its investment in Beverly Enterprises, Inc., the nation's largest chain of nursing homes.

According to documents collected for court testimony by Roy Drew, a Little Rock stock analyst and former employee of Stephens Inc., the Rose firm put together a plan to sell off Beverly's nursing homes in four states, starting with Arkansas, in July 1989. The deals involved getting state bond authorities to sell bonds to finance sale of the homes to non-profit corporations. A deal in Iowa actually went through in late 1989, backed by \$85 million in tax-exempt bonds issued by the Iowa state finance authority. Iowans say that Rose partner Kennedy was at the center of

the deal. But the parallel deal in Arkansas ran afoul of state politics.

State Attorney General Steve Clark had made a career of exposing nursing home exploitation. When the bond proposal came before the Arkansas Development Finance Authority, a bond-issuing agency created by Governor Clinton, the main threat to the deal was Clark's poten-

tial opposition. ADFA narrowly voted down the deal in October, while it sought Clark's opinion. In December, Clark dropped a bomb on the proposal. He called a press conference to say he had been offered a \$100,000 campaign contribution if he would let the deal go through. Clark, who was considered Bill Clinton's most formidable opponent in the 1990 Democratic primary, blamed the "bribe" on the "Beverly-Stephens effort." (A lobbyist was later charged with violating state ethics law for making the offer.) The attorney general called the deal "the product of the arrogance of wealth and the arrogance of power," making clear the latter phrase referred to Governor Clinton. A day after the press conference, Clinton withdrew his support from the bond issue, killing it off.

This incident was still fresh in everyone's mind a month later in late January when the *Arkansas Gazette* started investigating Clark's expense account. People listed as his dining partners denied having eaten with him. Blaming sloppy bookkeeping, Clark repaid the state nearly \$4,000, but vowed to stay on as candidate for governor. In early February, the state police confiscated his files, forcing him out of the race, and in July he was indicted on one count of felony theft by deception. His October trial prompted lavish local coverage, with three or four articles a day and front-

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page pictures of the parade of handsome young women he was accused of entertaining with state money.⁴ Clark was convicted and fined \$10,000. His political career in ruins, he left the state.

In the course of the trial, Clark's defense attorney Bill Bristow developed an argument of some current interest. In a cross-examination, he tried to show that the *Gazette* exposé was planted by Bill Clinton's supporters to scuttle Clark's campaign. The witness was a public relations professional and Clinton campaign worker named Marilyn Porter, who was put on the stand by the prosecuting attorney. She testified that she had seen her name in an initial *Gazette* story that published the expense account records of all the state's constitutional officers; she was listed in the twenty-sixth paragraph of the story as participant in a lunch with the attorney general that she knew she hadn't attended.

Bristow, on cross-examination, brought out that Porter's attention had been drawn to the article by a telephone call from Bruce Lindsey, a partner in Clinton's former law firm and the treasurer of his 1990 campaign. (Now a White House official, Lindsey has been delegated to field reporters' questions on Whitewater. He is one of the aides subpoenaed by Independent Counsel Fiske over the controversial meetings with the Treasury officials.)

Porter said Lindsey was laughing and asked if she'd seen the article. After she read it, she turned for advice to her

⁴ Clinton's rivalry with Clark has an interesting history. In reporting this issue's cover story, Daniel Wattenberg was told by Arkansas state trooper and then-Clinton bodyguard L.D. Brown about a Red Cross fund-raiser attended by Clinton and other officials at the state fairgrounds in Little Rock in 1984-5. It also included members of the cast from "Hee-Haw," the popular country-western television show. Afterward, as Clinton was preparing to return to the governor's mansion, he met some of the "Hee-Haw" crew, including a woman Brown remembers only as Elizabeth, "a beautiful girl with dark curly hair," with whom Clinton was "obviously enamored." "They invited us up to the Excelsior Hotel," says Brown. "They had a big suite where they were gonna have a big party, just this group." Brown says he urged Clinton to accept the invitation; Clinton, however, had to get back to the governor's mansion where Hillary was expecting him. But he told Brown, "You go on up there, check it out, see what's going on, and call me back at the mansion and we'll make up some story to get out." By the time Brown arrived at the Excelsior, the party was in full swing. He saw Leslie Nielsen and other entertainers, and on one couch Bill's cousin Marie Clinton and on another Elizabeth—with Steve Clark. As Brown describes it, "Steve Clark's got her and he is blitzed, he is on Cloud Nine already and he's hugged up to her and actually up on a glass table dancing on the damn table, shirt off." Brown had a couple of drinks and then went into another room to call Clinton. "He says, 'What's up?' I said, hey, you ain't gonna believe this. That f---ing Steve Clark's down here and he's got her nailed. He said, 'Goddamn that sonofabitch.' 'Cause if anything pissed him off more than anything else it's for Clark to scoop him on a babe like that. He wanted this girl."

lawyer, who happened to be Webster Hubbell. He told her to check out the other names on the list. After they "had figured out that none of us were there," she said, she got a call from Bill Clinton. The next day, *Gazette* reporter Anne Farris picked up the story and broke the scandal.

Hubbell also took the stand and, according to the *Gazette* headline, denied "political plotting." "I gave Porter advice," he said, "that if she was so concerned she should call the governor as well as others." Clinton in his turn told a reporter, "There is no way any of us had anything to do with it."

Political Trials

Clinton's assurances to the contrary, Little Rock insiders persist in seeing the indictment of Clark as revenge for one or another of his offenses against the establishment. Even though the charges against Clark were confirmed in a fair trial, his defenders see it as selective prosecution. They ask, for instance, why no one made an issue of Governor Clinton's use of state vehicles and phones for his own personal affairs.

In similar terms, no one denies there are substantive grounds for investigating David Hale and his lending company. But there is a question why he was the focus of U. S. Attorney Paula Casey's efforts when she found that the many potential charges against Madison Guaranty, such as forgery, diversion of funds, and deception of federal regulators, weren't worth criminal investigation. There's also the question whether this investigation, conducted by FBI agent Steven Irons, was related to the criminal investigation by Jean Lewis of the Kansas City RTC, who also dealt with Agent Irons. It would help in answering these questions to know just what prompted the July 21 raid on David Hale's office.

In the meantime, Hale offers a plausible explanation for his legal troubles: he was the lender whom Bill Clinton asked for help in keeping Madison Guaranty afloat. His testimony ties Clinton personally to James McDougal's financial machinations. His word explodes the myth, promoted by some unchivalrous factions in the White House, that Whitewater is Hillary's problem, not Bill's. The highly unusual rush in his trial, says Hale, is an attempt to discredit him as a convicted felon, so that President Clinton can argue, as he did to reporters on March 7, "There is no credible evidence and no credible charge that I violated any criminal or civil federal law eight or nine years ago."

Hale's allegation fits too tightly with the separate pattern of abuse: the blatant interference with the savings and loan regulators at the Kansas City RTC. Perhaps the most damaging of Jean Lewis's memos is her account of a 45-minute meeting with April Breslaw, attorney with the Federal Deposit Insurance Corporation, on February 2, 1994. Although Lewis was by then well out of the loop, Breslaw had journeyed to Kansas City to get her to say that Whitewater had not caused a loss at Madison Guaranty.

Solving the Case of the Missing Affidavit

Normally federal officers explain their investigations in an affidavit to the federal judge requesting their search warrant, and such an affidavit was filed in David Hale's case on July 20. But it was mysteriously missing from the public files. In fact, Hale's lawyer Randy Coleman recounts that when he told former special prosecutor Donald Mackay that he would like to see this affidavit, Mackay replied, "So would I."

Even after the document turned up, Mackay withheld it from Hale and told the court clerk to keep it under seal. In his letter to the clerk, Mackay made the strange statement, in light of the intense coverage of the case, that "unsuspecting targets and subjects will be put on notice of the investigation, and evidence and other materials pertinent to the investigation may be destroyed or lost." He also warned of damage to "the reputation of innocent persons and entities identified . . ." This letter was irregular on its face, since only the judge can order documents sealed. But adding to the mystery was its date, February 6, a week after Mackay was replaced by the appointment of the independent counsel.

On March 16, Federal Judge Stephen M. Reasoner ordered the affidavit released to the defendants and their attorneys, but no one else. Incredibly, it took the government seven months to release one of the most basic documents in any criminal case, even though the rules of the court specifically state that it should go in the public case file as soon as the indictment is filed. *The American Spectator* on March 17 petitioned the Eighth District Court of Appeals in St. Louis to force the trial court to make it public. On March 23, the court of appeals agreed that the document should be made public but told the *Spectator* to apply first to the district court. Judge Reasoner granted the petition on March 30, grumping that he would have done it without the eighth circuit's intervention.

The 52-page document turned out to be a bundle of incremental evidence, rather than a smoking gun. FBI agent Steven Irons indicated that his leads came from Small Business Administration audits of Hale's lending company, the last one dated November 30, 1992. This was several months after the Kansas City RTC sent him its letter

of criminal referral on Madison Guaranty, but an SBA spokesman told the *Spectator* that the SBA had made an independent criminal referral on Hale in May 1993, shortly after its new administrator, Erskine Bowles, took office. (This was also the time Jean Lewis in Kansas City started pestering the Justice Department about the status of the RTC's case.) The SBA criminal referral was highly unusual action for the formerly somnolent agency, but at the time Bowles referred to it obliquely as an example of his more energetic administration. The action was based, said SBA spokesman Michael Stamler, on the severity of the problems in Hale's company. "It was a clear case of criminal fraud," said Stamler.

Agent Irons' affidavit refers to several of Hale's most sensitive loans, including the \$300,000 loan to Susan McDougal and another to James McDougal's homage to Franklin Delano Roosevelt, the bizarre real estate development on Campobello Island. In general, though, the document concentrates on Hale's frantic attempts to shuffle his bad loans out of the sight of SBA auditors.

—JRA

According to Lewis's notes, Breslaw said: "The people at the top" wanted an answer "that would get them off the hook." In one of the unsung acts of heroism that dot the history of the savings and loan debacle, Lewis refused to give in. (Breslaw denies that she tried to get Lewis to change her conclusion, but Rep. Leach reports that he's reviewed a tape confirming Lewis's version.) The most curious aspect of this conversation, however, is that it took place just as Assistant Treasury Secretary Altman was meeting in the White House with Bernard Nussbaum. Even Altman's four amended replies to the Senate Banking Committee fail to explain April Breslaw's pressure on Jean Lewis, behavior reminiscent of the worst scandals of the politicized financial regulation of the 1980s.

These charges must set the agenda for the next round of Whitewater investigations. The issue is no longer a penny-ante land deal in the Ozarks but the integrity of the federal bureaucracy, and above all the bureaucracy dealing with the most sensitive of functions: financial regulation and the administration of justice. The issues transcend any criminal investigation now in the hands of the independent counsel. As Rep. Leach justly argues, they go to the heart of our con-

stitutional system of checks and balances. Has Bill Clinton turned Justice and Treasury into political instruments for his personal protection, and does the Democratic majority in Congress have the fortitude to assert the public interest? These are the questions that surround the tenures of Webster Hubbell and Roger Altman. The best forum to provide an answer and restore public confidence will be a full-scale congressional hearing. □

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Daniel Wattenberg

Love and Hate in Arkansas

L.D. Brown's story.



I
In the summer of 1984 or 1985, Joyce Miller attended a dance at the Arkansas State Fairgrounds with her sister. Miller remembers the period detail meant to re-create the atmosphere of an early sixties senior prom. The entry archway to the fairground was decorated with flowers. A live band covered sixties favorites. The men wore tuxes. Women wore their hair pinned up in B-52s style and "the net ball gowns that we used to wear when we were kids," recalls Miller. Then-Governor Bill Clinton was at the mock-hop that night. He knew most of those in attendance, Miller was told.

Late last year, after four Arkansas state troopers disclosed their roles in procuring women and otherwise facilitating numerous extramarital sexual liaisons for the then-governor, Miller contacted *The American Spectator*. She thought her story was relevant, on its own modest terms, to the cyclonic controversy precipitated by the troopers' accounts. Miller, now a college English teacher living in Plano, Texas, furnished this written account of the "prom":

Daniel Wattenberg is an investigative writer for The American Spectator. His previous articles for TAS include "The Lady Macbeth of Little Rock" (August 1992) and "Gunning for Koresh" (August 1993).

Late in the evening, one of Mr. Clinton's state troopers approached me as I sat alone at a table. He introduced himself as he presented his card (attached copy) as "L.D. Brown." He told me that Gov. Clinton did not recognize me and would therefore like to meet me. During this conversation, Mr. Brown attempted to find out some personal details, e.g., my plans for the evening, my hotel's name, my phone number, etc. The

exchange lasted even as other members of the party returned to the table; suddenly the trooper excused himself to join Gov. Clinton, several other troopers, and the female dance partner dancing with Gov. Clinton as the trooper engaged me in conversation. All of them exited the back door in a rush. Approximately 45 minutes later, the governor and his troopers—but not the female he left with, returned via the back door—only to stay roughly ten more minutes. I never saw Mr. Clinton or Mr. Brown again.

My impression of my encounter w/Mr. Brown is as clear today as it was then: Mr. Brown attempted to "hustle" me, to arrange a liaison with the governor. At no time did I solicit or encourage such a liaison with Mr. Clinton.

Miller's story reinforces the troopers' claims that they often solicited new sexual partners for Clinton. And it faintly illuminates why, despite the broad scope of Clinton's reported polygyny, so few women have joined Paula Jones in accusing him of sexual harassment or the more ambiguous offense of "unwanted sexual advances." For as Miller's

account illustrates, Clinton enjoyed a buffer. Unlike Oregon Sen. Robert Packwood, whose clumsy wine-in-a-box come-ons have turned him into a ghostly pariah, the more adroit Clinton often left the parlous business of gaining consent to armed intermediaries. It is a mating strategy available to very few people in American life, and in employing it, Clinton appears to have exploited his office, even if sexual harassment law is mute on the practice of unwanted-advances-by-proxy.

While relatively insignificant in and of itself, Miller's story, backed up by a photocopy of L.D. Brown's "Governor's Security" business card, provided crucial initial leverage in approaching L.D. Brown. "Oh, s--t," he said when first contacted. Ironically, Brown did not specifically recall the episode she recounted. "I don't remember Joyce Miller's name," he said. "But, my God, it was so many times. I mean, good grief!"

II

In Brown's telling, Clinton emerges as a kind of yuppie Willie Stark, simultaneously aspiring to the dizzying heights of political office and fatally compromised by his personal conduct. Brown was closer than any other trooper to both sides of Clinton. On one hand, he won the first couple's confidence—so much so that he can speak with authority on a number of Clinton's affairs, Hillary's affair with the late Vincent Foster, and heavy-handed attempts to politicize the Arkansas state police. On the other hand, Brown, who insisted on being his own man and emerged as a Clinton opponent on a couple of political issues, became the object of reprisals familiar to those who know the Clinton arsenal: an attempted criminal prosecution that other state policemen considered trumped up and a series of vague threats that included job-related sanctions and smear campaigns. Brown says that since word filtered back to the Clinton camp that he was speaking to *The American Spectator*, a high-level Clinton associate warned him to back off. "How would you like your credit-card receipts splashed across the front pages of the newspaper?" the Clinton crony said. All this is part of a pattern critics say has been replicated in Washington. Special Counsel Robert Fiske has already subpoenaed Brown as part of his ongoing investigation into the Whitewater scandal.

A former president of the Arkansas State Police Association (and a vice-chairman in the troopers' national association), Brown now works at state police headquarters in the Special Investigations unit probing white-collar crime and official corruption. He served on the Clinton security detail from late 1982 until mid-1985. Known as "Doug" to his family, Brown is one of the few state troopers who regu-

larly traveled with the Clintons on out-of-state business. He met his current wife, Becky, while she worked and lived at the governor's mansion as Chelsea Clinton's nanny. The two, with the help of then-mansion administrator Robin Dickey, arranged for Becky's mother, Ann McCoy, to succeed Dickey in that post.

During the years at the governor's mansion, which he remembers as a scale-model "Camelot," Brown says that he performed many of the functions detailed by state troopers Larry Patterson and Roger Perry in David Brock's "Living With the Clintons" (see *TAS*, January 1994). (He estimates that only ten percent of the work he did for the Clintons was security-oriented.) On state time and using state cars, he drove Clinton to extramarital trysts and guarded him during these encounters. By providing timely updates on Hillary's whereabouts, he abetted Clinton's efforts to conceal the de-

tails of his philandering from his wife. He solicited new sexual partners for Clinton throughout the state. "Over a hundred, at least," he says. "I'd hate to even try to guess."

But Brown also enjoyed, above and beyond his official and unofficial duties, a relationship with both Clintons that was unique among the troopers for its closeness. Other troopers referred to Brown—not

without jealousy—as the Clintons' "fair-haired boy." As Brown tells it, Clinton and he were confidantes. They would often read the same books, usually political biographies, and discuss them together. William Manchester was a particular shared favorite: Clinton pushed his copy of *One Brief Shining Moment* on Brown after he'd finished this tribute to John F. Kennedy, and it was Manchester's Churchill biography *The Last Lion* that prompted Clinton to ask Brown, "Why should it be, L.D., that a war record is a prerequisite of high office?" (Says Brown, "That was a pre-occupation of his.")

The size of Clinton's library at the time cannot be exaggerated, and he gave Brown dozens of books, many of which Brown still retains. The law books Clinton used to study for the Arkansas bar in 1973 contain a few sentences that make Brown smile in retrospect. "There's a sentence in one to the effect that 'Adultery is not a crime' that is underlined twice in red." Brown adds that the passages in general law texts that Clinton marked most assiduously were those on tax law. Another book from the Clinton library that Brown retains is a worn copy of *The Handbook of the Conscientious Objector*. And it wasn't a mere literary friendship: Brown often attended, at the Clintons' invitation, small social gatherings with the Clintons and their intimate friends.

The prospect that Brown would speak publicly has caused considerable heartburn in the Clinton camp. Indeed, fears ran

Brown became the object of reprisals familiar to those who know the Clinton arsenal: an attempted criminal prosecution that other state policemen considered trumped up, and a series of vague threats that included job-related sanctions and smear campaigns. It is a pattern critics say has been replicated in Washington.

high that he was among the group of state troopers who had talked to *The American Spectator* and the *Los Angeles Times*. "Right down to the last day before this story broke, everybody—Betsey Wright, all of them—were worried sick about L.D. Brown," says Roger Perry. Brown says that in January 1994 he heard from *Los Angeles Times* reporter William Rempel, who said he had received a call months earlier from Betsey Wright, former Clinton aide and chief "bimbo eruption"—queller, after she first learned that unidentified troopers were talking to the press. "She started raising hell, running me down before he could even say a word or deny that it was even me," according to Brown. (Rempel confirmed the call from Wright in substance.)

Earlier, after Clinton won the Democratic nomination in 1992, Brown was approached in Diego's, a local watering hole he favors, by a woman he had not seen in years who had returned to Little Rock to work on the Clinton campaign. By the third "spontaneous" meeting, Brown had grown suspicious. During their final meeting, the woman bluntly asked, "L.D., you're not going to say anything against Bill, are you?"

"I'm not going to say a word," he answered. "I just want to be left alone."

"Well, what is it that you want?"

"I don't want a goddamn thing."

After this feeler cum offer, she left the bar and Brown followed her in his police car. A block away, she pulled up alongside a parked car and got out. From the car next to hers emerged none other than Betsey Wright. As case officer and agent conferred, Brown, much to the chagrin of both, wheeled up and shouted, "Hello, Betsey!"

When troopers Perry and Patterson came forward late last year, much was made of their hopes to land a book deal. This scrutiny of their potential financial interest was legitimate. But the press failed to devote a corresponding level of attention to the array of pressures *restraining* those with damaging information from coming forward. After all, the troopers claim to have witnessed, and been suborned to perform, actions by Clinton that are improper in many cases, perhaps illegal in some others, and political poison in the aggregate.

However troubling one finds the unfolding evidence of Clinton's galloping extramarital sexuality, more relevant politically are the measures to which he (and his associates) have allegedly resorted to cover it up. The American media have paid scant attention to multiplying reports of intimidation and graft to smother information about the Clinton harem. Sally Miller Perdue, a former Miss Arkansas who claims she had a three-month affair with Clinton in 1983, has reported that in 1992 a Democratic Party emissary attempted to force her to retreat from the spotlight. According to Perdue, he coupled a GS-12 federal job offer with a threat to her safety for refusing to cooperate.

Loren Kirk, a onetime roommate of Gennifer Flowers who publicly corroborated parts of the Flowers story, told me that she was visited in 1992 by Jack Palladino, a San

Francisco private investigator hired by the Clinton presidential campaign to help preempt further eruptions from the seraglio. According to Kirk, he asked at one point, "Do you think Gennifer is the sort of person who would commit suicide?" (Palladino, whose past clients have included Black Panther Huey Newton and the Symbionese Liberation Army, declined in an interview to confirm or deny the words attributed to him. In this memorably weird interview he observed that both Perdue and Kirk were "self-discrediting" sources, while declining to rebut their specific allegations. Mostly, he touted his credentials as a political and public policy scholar and lamented my descent into "tabloid journalism," when such social problems as the homeless and health care begged for media attention.)

No fewer than four Arkansas state troopers, including two past presidents of the Arkansas State Troopers Association, have now provided detailed accounts of attempts to silence troopers knowledgeable about Clinton's state-subsidized harem-building with unmerited career promotions and job offers.

Despite ardent pursuit by the national media and myriad provocations by Clinton and his operatives in recent years, Brown has held his silence since breaking angrily with the Clintons in 1985. Fear of reprisals by the Clinton network was part of the reason. He long suspected that a 1990 criminal investigation into his handling of State Police Association finances while he headed the group had been instigated by Clinton. Though he lacked proof, he believed the probe was a payback for harsh public criticism that he leveled at the governor when the two clashed over a trooper pay raise. Breaking his silence, he feared, would precipitate a renewed effort to discredit him by recycling these old charges of financial improprieties. He feared that his career in the state police, already stymied by Clintonites on the police commission, would be further harmed. Finally, Brown feared spontaneous ostracism in a small city where the Clintons clearly retain many friends and allies.

To an extent, he felt compromised as well. Eight years younger than Clinton, Brown pursued sexual opportunities with a similar relish, and this shared avocation was an important basis of the bond between the two. And, as he freely admits, Brown avidly seized the incidental sexual opportunities that soliciting for Clinton often presented. Brown coined the term "residuals" for these incidental opportunities. He cites the personal exposure incurred in scooping them up as a factor in his keeping silent.

III

Because he thought he was being watched by Clinton loyalists in Little Rock, and feared reprisals if word spread that he had talked to a reporter, Brown was flown to Washington at this magazine's expense. In dozens of hours of interviews, he volunteered rounded, detailed vignettes interlaced with lengthy digressions. His thoroughness and spontaneity inspire confidence, and the level of detail he provided regarding other witnesses to events he

described made his claims eminently falsifiable. Wherever possible, I have contacted other witnesses or obtained documentation that might have contradicted his story. Where others dispute his version of things, readers will have to evaluate for themselves their credibility.

While many in the media have argued that charges of Clinton's rampant infidelity are irrelevant, Clinton has consistently fought such allegations on a different ground: he has denied them. He characterized Patterson and Perry's claims as "outrageous . . . just not so." In 1992, a Clinton spokesman told the *Washington Post* that Clinton had never even met Sally Perdue. And during the 1992 campaign, Clinton equated the credibility of Gennifer Flowers's story with that of stories that Martians walked the earth. Because of his relationships over the years with Clinton, Patterson, Perry, and Flowers, Brown is uniquely situated to corroborate, in varying degrees, not only the last three but also Perdue. "Clinton mentioned to me that they had had an affair, a liaison," he scoffed, when told Clinton had denied having met Perdue. (Incidentally, in an interview with *TAS*, Perdue disclosed that Clinton used to smoke pot during his visits to her Little Rock condo. "He said that it enhanced his sexual pleasure," said Perdue, who was dumbfounded by Clinton's "never inhaled" campaign claim. "This was a person who was experienced at smoking.")

When Brown served as president of the Arkansas troopers' association, Larry Patterson was his vice-president. At that time, the two were close personally and professionally. "I treated him like a brother," says Brown. While Brown had by this time long since broken with the Clintons, Patterson was still on Clinton's security detail. Working side by side at the association, Brown and Patterson frequently swapped stories about their respective tours with the Clintons. Brown says he learned contemporaneously—long before Patterson was entertaining book offers—much of what Patterson would disclose about Clinton more than two years later in interviews with *The American Spectator* and the *Los Angeles Times*. "Larry, being still on the inside over there, was telling me the stuff that Clinton was doing—all of the same stuff that came out in the Brock article, which to me as an investigator lends credibility that it all happened," he says.

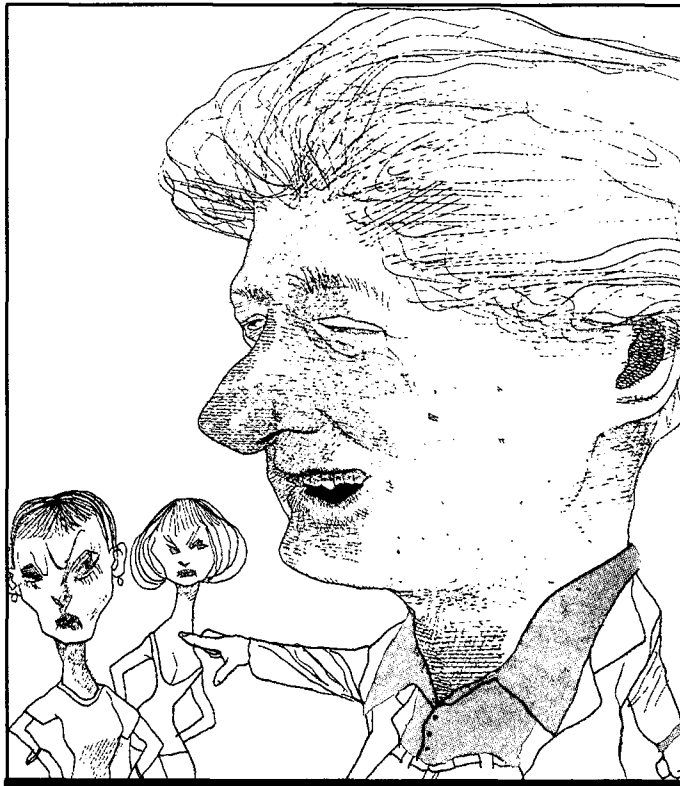
Moreover, says Brown, the current Democratic governor of Arkansas, Jim Guy Tucker, also learned contemporaneously

of Clinton's extramarital exploits. Tucker, he says, solicited this information for possible use in a 1990 primary challenge. The troopers association was cooperating with potential primary and general election opponents of Clinton, in hopes of preventing his re-election to a sixth term. "We met with Jim Guy Tucker," he says. "Larry laid all his stuff out. I laid all my stuff out. They were soliciting from us: 'What do you know? How can we get it? Who is Clinton f---ing?'" Patterson confirmed in an interview that he and Brown gave Tucker a detailed briefing on Clinton's womanizing.

Brown also briefed Republican Sheffield Nelson (Clinton's 1990 general election opponent) at length on Clinton's womanizing. In an interview, Nelson confirmed the briefing, and gave several examples of stories Brown

told him then, stories that appear in print for the first time here. Nelson also said he was told at the time that Tucker had been briefed on the same subject. Tucker would not return phone calls seeking comment.

The private, spontaneous Clinton described by Brown contrasts sharply with his public persona as a feminist champion. Brown recalls that Clinton and he frequently rated women according to a 10-point "grading" scale they shared. While Clinton enjoyed a multi-dimensional partnership with his wife, his extramarital sexual partners were "purely to be graded, purely to be chased, dominated, conquered," says Brown. Brown of course is no



paragon of male sensitivity, but Clinton once exceeded even his high level of tolerance—when Brown and his wife Becky arranged for Becky's mother Ann McCoy to take over as mansion administrator. "The day [Clinton] met Becky's mom and dad—immediately he said, 'Man, she's a doll, she's damn good-looking, and she sure doesn't go with that goofy sonofabitch.'" At that time, Brown still enjoyed a very warm relationship with his mother- and father-in-law, and was stupefied and wounded by the governor's tactlessness. "I thought, 'The sonofabitch is grading my future mother-in-law here?'" Brown acknowledges that Clinton "felt a little bad after it because of the relationship between Becky and me."

Membership in the small circle of troopers Clinton "did things in front of," says Brown, brought with it eligibility for "residuals." Brown readily admits that he often seized these opportunities. "If a guy was put in a position of asking a girl among other girls to join Clinton or get a phone number or

whatever, usually you were like 'with him,' you would be with one of the other girls, or you would be kind of one of the party," he explains. One purpose was to put other female members of a target woman's party at ease. "You could say that if you took part, if you were courting the other girl, maybe it was just a convenience to make it all look like, 'Hey, Bill and I are buddies, and we're partying together and don't feel like I'm a security guy that's looking over your shoulder.' It's not like you stood back with Ray-Bans on and a machine gun under your overcoat. And whatever was left over there, if you were so inclined, because you were with him, you had a real good shot at doing something yourself."

Clinton implicitly encouraged the troopers' enjoyment of "residuals." Clinton, Brown explains, would inquire knowingly about Brown's progress with another member of the party: "'Who is she? What does she do? Are you gonna take her out? Oh, you sonofabitch!' It was like, 'You're my buddy, I'm your buddy. You mess around with girls, I mess around with girls.' The old boy kind of thing." But there was a tacit understanding, Brown believes, that such troopers were compromised by "residuals" in a way that provided Clinton an additional hedge against exposure.

Brown says that Clinton and Flowers each directly confirmed to him that they had had an affair. "Clinton would talk about Gennifer in conversation," he says. And after Brown broke with Clinton, he developed an intimate friendship with Flowers. "I would be at Gennifer's condo at Quapaw, and [Clinton] would actually call and leave messages on the answering machine." Brown recounts that Flowers was brutally mocking in disclosing intimate details of her affair with Clinton. And he recalls his turmoil following Flowers's public allegations about Clinton during the 1992 primaries. Brown was simultaneously seething that Clinton continued to deny the affair and "scared to death Gennifer was going to say something at that time about me."

IV

Brown described trips he took with Bill and/or Hillary to Denver, Dallas, Boston, Washington, D.C., and Boca Raton. Official travel records corroborating all five trips were later obtained from state files.

One 1984 trip was to Irving, Texas, to attend an Arkansas-SMU football game at Texas Stadium. "We would take a state sky box," Brown recalls. They were accompanied by Chris Burrow, later appointed by Clinton to be director of State Building Services. The group wound up at a strip joint near the stadium, on a grisly highway of sex clubs that runs all the way up into North Dallas. "Clinton was just like a kid in a candy store," Brown remembers. "He said, 'L.D., do you think these girls *do* anything? Can you pay 'em *money*, get 'em *outta* here?' He was sticking bucks down in their little things. It ended up we just had to get him out of there." (Burrow, reached for comment, recalls attending the Arkansas-SMU football game with Clinton. Asked about the evening at the strip bar, he replied, "Well . . . I can't remember anything.")

Brown recalls a stay of several days at the luxurious Boca Raton Resort and Yacht Club, after which Hillary, Chelsea, and Bill drove up to Disney World. "One night we all came in," Brown says, "and he wanted to hit the road. 'Let's hit it!' That was the big phrase. 'Let's hit it. Let's go.'" Clinton and Brown headed for a disco that Brown had visited earlier. Clinton pointed out a woman at a nearby table. "He says, 'Go ask that one if she wants to dance with the governor of Arkansas.' And I'm just like, 'Aw sh--,
right. Who in the hell knows who the governor of Arkansas is in Boca Raton?' I walk over there, and as it invariably happens, I go over, sit down, give her my card, like an *idiot*, and say, 'That guy over there—that's the governor of Arkansas, it's Bill Clinton. He wants to dance with you.' Most of the other girls said, 'Oh yeah, *right*, and I'm Queen Elizabeth,' and then someone at the table goes, 'Yeah, it is. That's Bill Clinton. I've seen him on television.'

"So the girl comes over. We stay there a good while drinking and stuff, get the tab, and she leaves with us. Clinton and the woman get in her car. We followed them down the road. She knew where she was going. We drive down the road, and they pull off. We could still see them. By this time it was probably midnight at least. They pull off. He's in the front seat. She leaned down, and of course she did the old 'lean down' effect. We were no more than ninety feet away. You could see what was going on.

"Probably thirty minutes pass. The lights come back on. They pull up behind us. He leans over and kisses her. He gets out of the car, gets back in the back seat [of the troopers' rental], and, 'Hit it! Let's go! What time is it?' All of a sudden, there's this urgency. He made a statement to the effect that 'It was [oral sex]! God, that was great!'"

When traveling, Clinton appears to have scrupulously reimbursed the state with personal checks for innocent personal expenses. A search of Clinton's official travel records turned up no checks reimbursing the state for more compromising personal expenses, such as those incurred at the Dallas strip joint and the Boca Raton disco. "[The troopers] would always pay" for drinks purchased in such places, says Brown. "We had 'Bill Clinton, Governor' Visa cards, and we had a state police credit card."

When such purchases were charged to the state police card, "we would always get our money back" from the governor's office, he explains. "They would pro-rate this: What was for the governor, what was for you all? Nobody ever lost any money who was ever in that situation." (It is hardly likely that Clinton ever paid in cash. "He never paid for anything," says Brown. "He didn't *carry* money. He never carried a billfold. If he needed it, he'd take it from us, five dollars here, five dollars there. He still owes me money.")

Clinton would often grow reflective after extra-marital encounters, says Brown. "He would follow with some kind of, 'Y'know, L.D., we have to do things in life, and we need to be happy, satisfied. Some people are satisfied in different ways, and we have to make compromises.'" Hillary Clinton would use similar jargon with both

L.D. and Becky in rationalizing her own affair with her law partner Vince Foster, as well as her partial acquiescence in Bill's extramarital sexual exploits. While Brown was going through a divorce from his first wife in 1985, Hillary and he would often discuss their respective marriages. "I would talk to her about my marriage, and she would talk to me about hers," he says. "Her greatest quote was 'L.D., sometimes you have to make a leap of faith.' Hillary knew that I knew what was going on."

Brown offers unequivocating eyewitness corroboration of earlier reports that Hillary and Foster, whose death is now under investigation by Special Counsel Robert Fiske, were romantically attached. He characterizes the public displays of affection between the two that he saw "with my own two eyes" in explicit terms as "grab-ass, locked-up kissing, [etc.]—the whole nine yards." The affair was an open secret in the Clintons' circle, Brown says. "Bill knew what was going on between Hillary and Vince."

Brown describes Lisa Foster as "kind of the cast aside, stay-at-home wife, mother to Vince's kids, the official 'Vince wife,' the good, trusting, loving-couple wife." In conversations with Brown's wife Becky, he says, Hillary would criticize Lisa in scathingly personal terms, wanting to know why Lisa was "so damn jealous," and saying, "I don't know why Vince stays with her."

Brown confirms Larry Patterson's claim to *The American Spectator* that Clinton enjoyed a long-term relationship with an Arkansas lawyer that he appointed to a judgeship. "A beautiful, gleaming, kewpie doll with brains," says Brown. "We'd be out at a function at [Little Rock's] Excelsior or one of the hotels there or just anywhere and it was like 'Let's go to [the judge's house].' A couple of times I would go in. Most of the time I would sit out in the driveway, sometimes for hours, and just wait. He would come back: 'Hit it! Let's go! Has Hillary called?' Same old thing. There was always an emphasis on 'Has Hillary called?' 'Has the mansion called?'"

An evening at an Oriental barbecue restaurant in Little Rock crystallizes Brown's mixed memories of that time and those people. All the dramatis personae were present: Bill and Hillary, Vince and Lisa Foster, the judge and her husband, and L.D. "We go in and start drinking, and we're sipping [stuff] for probably two hours. We're walking back, and Vince has got his hand on Hillary's ass and is just squeezing it all to hell. We're staggered, you see: [The judge's husband] and Lisa Foster are up front, walking along. Vince and

Hillary are back here, and Bill is back here with [the judge]." Vince and Hillary and Bill and the judge went at it. "During this walk—hell, it was a twenty-minute walk—they are drunk, running tongues down each others' throats, the whole nine yards. It was a diagonal swap."

Asked if Lisa Foster knew of the arrangement, Brown offers little, beyond saying that he holds her in high regard. "I would hate to say anything bad about Lisa," he says. "She lives a block and a half from my home. She walks by every day. And she is a hell of a victim of that couple."

While Hillary knew about Bill and the judge, says Brown, he doubts that Hillary ever had more than an inkling of the *scale* of Bill's infidelities—in fact, he is not certain Hillary could identify any of Bill's girlfriends other than the judge. So while the Clintons enjoyed what Brown described as an "open marriage," Bill was nevertheless constrained to practice the kind of deceit that an open marriage is supposed to obviate.

Whatever its sources, tension permeated the Clintons' marriage. Brown corroborates David Brock's January report that, when being chauffeured to official functions, the two typically sat apart—Hillary in the back seat, Bill up front with L.D.—and seldom exchanged small talk. Bill's modest salary as governor of Arkansas was a frequent source of Hillary's gibes.

Hillary was apt to erupt, with little apparent immediate cause, in expletive-laden tirades that Bill would stoically endure. Brown remembered one that took place at 17th and Broadway in Little Rock,

when Bill asked what the court of original jurisdiction was for a case between states. "It's the Supreme Court!" Hillary said. "L.D., you knew that, didn't you?" And she continued to Bill, "I can't believe you would ask a f---ing question like that with L.D. around! You're governor of Arkansas!" At such times, Brown says, "Bill would hardly ever would fight back. He would take a tongue-lashing for whatever reason." On a New England trip, Bill, a legendarily shaky driver, insisted on taking the wheel on the turnpike between Boston and Maine. In Chelsea's presence, Hillary screamed: "You're gonna get us f---ing killed." Brown calls Hillary "as foul-mouthed as any sailor you'd ever meet."

In private, according to Brown, Hillary exhibited a political partisanship so extreme it verged on bigotry. "She would compare Republicans to Nazis," Brown says. Brown's wife recalled a Reagan-era trip to Washington, when Chelsea wanted to go to the White House; Hillary re-



portedly told Chelsea she would have to wait until "someone decent lives there." Brown kept—as a memento of his stint with Clinton's Republican predecessor Frank White—a photograph of himself with Governor White and Nancy Reagan; "Hillary saw it once," he recalls, "and she said that I ought to burn it."

Away from the public spotlight, both Bill and, to a greater extent, Hillary, were contemptuous of policemen, whom they commonly derided as "ignorant sonofabitches," says Brown. Their open contempt contributed significantly to Brown's ultimate disaffection with them. In 1984, Brown accompanied Clinton to a funeral for a state trooper who had been killed by a survivalist in rural De Queen. Brown remembers inviting Clinton into a banquet room, where hundreds of mourning policemen from Arkansas, Texas, and Louisiana were eating sandwiches; according to Brown, Clinton said, "I don't want to go in and eat with those ignorant sonofabitches, let's go to another room." Brown considers the Clintons' contempt for cops an aspect of a broader class snobbery. "At the pink tomato festival at Warren or the Baxter County Fair, for example, they would go meet the 'common folk,' continue the ruse, and gladhand them. We'd get back in the car, and he'd go, 'Get us out of this f---ing redneck place!'"

V

It was a politically dangerous prejudice in one who spent much of his life accompanied by "redneck" cops. Clinton would attempt to make do by using an array of carrots and sticks.

In December, *The American Spectator* published State Trooper Danny Ferguson's disclosure that Clinton had offered him a job as a United States marshal or with the Federal Emergency Management Association in exchange for information on what he and fellow troopers had told reporters at *The American Spectator* and the *Los Angeles Times*. Betsey Wright swiftly attempted to obtain from Ferguson an affidavit retracting his charge. Wright told Ferguson, according to an eyewitness quoted by the *Los Angeles Times*, that his charge, if allowed to stand, "could get the man impeached." (Wright told the *Times* that she doubted that she had referred to impeachment.) Although she failed to obtain a sworn retraction from Ferguson, she, with the help of Clinton crony Bruce Lindsey, succeeded in procuring an affidavit from Little Rock lawyer Robert Batton.

Batton swore only that his client, Ferguson, had told him that "President Clinton never offered or indicated a willingness to offer any trooper a job in exchange for silence or help in shaping their stories." Neither Batton nor Ferguson swore under penalty of perjury that Clinton had never made such an improper offer (and both lacked standing to claim that Clinton had *never* improperly offered a job to *any* trooper). Later, according to the *Los Angeles Times*, Ferguson explained that the affidavit was meant to say only that Clinton "didn't say those words," that he had not

expressly offered federal jobs for silence. But he reaffirmed his earlier claim that Clinton had indeed discussed federal jobs for both Roger Perry and himself. Nevertheless, Batton's affidavit was widely interpreted in the press as a retraction by Ferguson. A *Washington Post* news article, for example, editorialized that Wright's damage control represented an "apparent coup" and "a critical boon to the White House in its efforts to defuse the controversy about the allegations first detailed in *American Spectator* magazine."

The sole contact between Clinton and Ferguson acknowledged in the Batton affidavit was an early September 1993 telephone conversation. But *TAS* has learned that that was not their last contact prior to the December publication of the Troopergate exposés. The president and the state trooper met face-to-face in Seattle in November, where Clinton, flush with his recent NAFTA triumph, was hosting Asian heads of state at the November 18-20 APEC Conference. In response to a Freedom of Information Act request, the Arkansas state police released travel records detailing Ferguson's Seattle trip. The ostensible purpose of his trip was "to provide security" for Governor Jim Guy Tucker, who attended for reasons that are not clear. (For an earlier curious meeting of Tucker and Clinton, see James Ring Adams's article in this issue.)

Ferguson did not return repeated phone calls seeking comment. State Trooper Mark Allen, who traveled with Ferguson on the trip, says Ferguson "wouldn't have had time" to meet with White House officials and that Clinton's contact with Ferguson was limited to a friendly greeting at a small gathering of Arkansans. Roger Perry, however, says that during a golf game after his return from Seattle, Ferguson acknowledged that Clinton and he discussed the earlier job offer. "He didn't tell me the entire context of what they talked about, but it was a lot more than a friendly hello," says Perry. "[Clinton] talked about the job."

Ferguson's charge brings to four the number of people allegedly offered state and federal jobs as part of a wide-ranging effort to keep the lid on Clinton's womanizing.

VI

The reported offer to Ferguson appears to be part of a pattern. Among the troopers reported to have extensive knowledge of Clinton's womanizing who have kept quiet are Buddy Young, Lt. Carl Kirkland, and Trooper Mark Allen.

Readers will recall that Buddy Young, former state police captain and longtime chief of governor's security, issued veiled threats to Roger Perry and Larry Patterson in a futile effort to preempt their revelations. Appointed by Clinton to a regional FEMA directorship in July 1993, Young reportedly threatened Roger Perry, on behalf of the President of the United States, with "dire consequences," and Patterson received a handwritten note from Young expressing concern about his health.

A larger audience will recall Young as the dough-faced endomorph who took a phone call from Clinton *consigliere*

Bruce Lindsey to coordinate on Troopergate cover-up measures and neglected to mention to him that he was on the speakerphone and that the incriminating conversation was being captured on tape by ABC News. ABC was in Young's office to interview him about, among other things, his reported attempts to quash the story. (In an interview with David Brock, Young had denied having been in contact with anyone in the White House about the subject.) But Young, it now appears, may be indebted to the Clinton machine for far more than his FEMA directorship. The machine may have spared him prosecution on felony charges.

In 1990, Buddy Young sent two state-owned vehicles, including one that he himself had damaged in an accident, to his own paint and body shop, ABC Auto, for repair. Young went through the exercise of soliciting estimates from two other local body shops and then underbid them to win the state contract. In reporting on his accident to State Police Director Col. Tommy Goodwin, Young neglected to mention that one of the repair estimates he had received was from his own company. Later, on both a state police form listing the three repair estimates he had obtained and a requisition order awarding the job to himself, Young continued to conceal the fact that ABC Auto was a sole proprietorship owned by him. After learning in 1991 of this patent breach of conflict of interest standards, Goodwin wrote to the Arkansas Department of Finance and Administration requesting an investigation.

DFA Director Jim Pledger, a Clinton appointee and ally, responded to Goodwin in a letter signed by his deputy. "The facts of the matter indicate Captain Young participated directly in contracting for the repair of two state vehicles through ABC Auto in Little Rock," DFA found. "Captain Young owns ABC Auto." Citing the Arkansas Code on "employee conflict of interest," the letter continued, "there can be no question as to whether Captain Young's action was a breach of the ethical standards for state employees as set forth in the Arkansas Code." He explained that a knowing violation of this type constituted a felony punishable by one to five years in prison and a fine of up to \$10,000. But finding "no evidence" that Young knowingly violated the ethics code and noting that Young denied knowledge of the code's conflict of interest provisions, DFA determined that administrative, not criminal, penalties were in order. Young was issued a written reprimand and docked three days' pay, without suspension.

It is quite a stretch to say that there was no evidence that Young knew he was violating state ethics guidelines. A state police memo distributed to all commissioned personnel (and expected to be signed by recipients) enunciating the department's policy (effective December 1980) on outside employment stated that "No member shall accept outside employment . . . in a job which calls for the use of state police equipment; in a job related to the wrecker or ambulance business; . . . or in an occupation which would be or would appear to be a conflict of interest." Obviously, the reason it is a conflict of interest for cops to be involved in the "wrecker" business is that cops tend to know where the wrecks are.

Additionally, in 1977 Young took on outside work as a weekend rodeo clown. In completing and signing the required departmental permission form for outside work, he agreed that "I will not use, directly or indirectly, any equipment owned, leased or in the control of the Department while engaged in off-duty employment."

Goodwin was asked in an interview if he thought it plausible that a 22-year veteran of the state police who had reached the rank of captain and the coveted post of director of governor's security would not have known that it was an ethics violation to direct state business to his own company without disclosing his financial interest in the transaction. "I thought it was a little unusual," said Goodwin. "There probably were a lot of members of our department that would know that," he



said. "I know that I knew it." He believes the Young case is the only time during his tenure at the state police that a state police officer has awarded himself an order to repair a state vehicle.

Pledger said that he understood why one might question Young's protestations that he was ignorant of the law in this case. "If you have been here for twenty years, there are some things you just know." He said he cannot specifically recall whether the governor or his representatives exercised any undue influence over the investigation, but that it would have been "improbable" for there to have been any contact between the governor's office and the DFA regarding an investigation of this type.

Carl Kirkland, who, according to several troopers, reads and writes at sub-high school level, was recently promoted to lieutenant. Both Brown and Perry say that competitive procedures governing promotions to this rank were bypassed in his case. "They just waved a wand over him," according to Brown. "What is so

devastating about that promotion," says Perry, "is that we have troopers out here with master's degrees, with doctorates in sociology, in criminology."

A high-level state police official said that the state police director has the authority to bypass competitive procedures, and that every promotion since November 1989 has been by appointment. He acknowledged, however, that Kirkland is the first to be promoted to a rank as high as lieutenant by this method. The experienced Kirkland was the choice of the current governor and "was presented to the police commission in that light, and they approved his promotion," he says. "He's not the most intelligent person over there, but he's probably got more know-how and gets along better. He's a good P.R. man. The governor likes him. Kirkland is loyal."

Brown says it is common knowledge at department headquarters that trooper Mark Allen openly deliberated whether or not to accept a Clinton offer to become the officer, by tradition a member of the uniformed military services, charged with carrying the "football" containing the nuclear launch codes wherever the president goes. Larry Patterson says that Allen (whom he portrays as someone apt to break down in tears when under professional stress) told him soon after Clinton's inauguration that Clinton had personally offered him the sensitive post. Allen acknowledged in an interview that he discussed unspecified administration jobs with unspecified individuals, but denied he was offered the job as custodian of the nuclear launch codes. "I couldn't see me being responsible for something like that," he said.

Five troopers have now talked on or off the record about Clinton's politically toxic levels of philandering. Young, Allen, and Kirkland are three of the dwindling few troopers with extensive knowledge about the subject who have not, and apparently it pays to play dumb. Young got a reprieve from a possible prison term, Kirkland got an unprecedented promotion many think undeserved, and Allen was reportedly offered a job that would have whisked him from Ozark obscurity into NATO's nuclear club. Clearly, Clinton could offer tempting carrots.

Brown, on the other hand, got the stick.

VII

Brown, who saw his once-close relationship with Bill Clinton deteriorate after 1985, felt the wrath of the Clintonites' revenge even before he went public, and now bitterly resents what he sees as a vindictive Clinton political machine. He describes how their mutual disaffection unfolded in four acts: First, Clinton reneged on a promised job. Then, the two clashed angrily when Clinton welshed on a pay raise for state troopers represented by Brown. Later, Clinton engineered his replacement as association president. Finally, Clinton instigated a scarring criminal investigation of Brown's management of troopers association finances—an investigation Brown says was pure politics.

In 1985, Clinton notified Brown of an opening at the state crime lab. The director was leaving imminently, and Clinton planned to promote the then-assistant director to

the director's post, leaving the assistant director's post vacant. But after prevailing on Brown to get the director to stay on, Clinton withdrew the offer. Brown says Clinton and the director tried to rationalize their pullback on the grounds of saving the state money for a make-work job; Brown claims the money had already been appropriated.

Brown was dating Becky, and the two had planned their whole future around the job, Brown says. Brown angrily quit his post in governor's security. But it was not until Becky gave notice that she would be leaving her post as Chelsea's nanny that Clinton called the couple at their newly bought home, irate: "We are talking about my daughter here and her stability," he reportedly said. Brown reminded Clinton, "We are talking about our future, too."

That break rippled through Brown's relationship with his own new in-laws. His mother-in-law, Ann McCoy (then mansion administrator and currently White House deputy social secretary), took Clinton's side. "This is the governor," she reportedly said, "and, Doug, you have got to go back down there, my God, you have got to humble yourself." The family scars have yet to heal, and McCoy has yet to meet two of her grandchildren.

After his departure, then-Clinton chief of staff Betsey Wright summoned him to a meeting in her Hill Road home to make sure he would not squeal about Clinton's state-subsidized harem-building. Brown says he told Wright, "If he'll leave me alone, this is it. I don't want anything from you."

In 1989, Brown, as head of the 500-member Arkansas State Police Association, sought a pay raise for his members, many of whom worked two jobs to supplement their meager state salaries. Clinton and Brown made a deal: In exchange for a Clinton promise to support the raise, Brown agreed to use the political muscle of the state police to lobby key representatives for a tax increase Clinton sought. The proposed tax hikes were hugely unpopular, and the vote came at big political cost. With Brown's help, Clinton prevailed, and the tax bill passed by one vote. But when Clinton reneged on the promise of a raise, Brown was left holding the bag. He called Clinton a "liar" in the *Arkansas Gazette*, and used his platform as vice-chairman of the national troopers' group to mail correspondence to his members and all forty-five state police associations nationwide, branding Clinton a "phony, anti-cop," he says.

"It came to showdown time," Brown recalls the meeting at the mansion: "Little pleasantries are exchanged, and all of a sudden Bill just says, 'I want to tell you something'—and he never looks at you—'I'm real goddamn tired of being called a liar, I'm sick of this. I've gone out of my way to do everything I can for you all, and you've ruined it, and I hear the troopers don't like it either that you came out and called me a liar.' He is ranting, raving—screaming." Brown says he told Clinton, "Ted Mullinex, Jerry King, Tommy Mitchum, among others, changed their vote during the last session. We passed that bill. You knew what we gave up and the chances they took." The meeting ended with Clinton vaguely promising to do something in the next legislative session.

Soon afterward, Larry Patterson overheard an ominous exchange between Bill and Hillary in the car. "Hillary said 'Something has to be done with L.D. Brown,'" recalls Patterson. "That is verbatim. To me, that meant that L.D. had to be either transferred or he had to be threatened and shut up." Patterson tipped Brown off on what was coming.

Unsubstantiated leaks alleging misuse of association funds appeared in *Arkansas Business*, a local weekly. Through Mark Allen and loyal appointees on the police commission, Clinton fanned anti-Brown sentiment within the association, and in an ironic twist, secretly lined up Roger Perry to succeed Brown and transform the association into a compliantly pro-Clinton company union. State police captain Jim Pinson, loyal to the governor, sent a letter critical of Brown to all the troop captains. According to Brown, he also started a smear campaign, alleging, among other things, shopping trips to Dallas. State Police Director Goodwin approved a criminal investigation into the state police association.

For years, until quite recently, Brown was convinced that his protégé at the association, Larry Patterson, acted as Clinton's mole within the association. He suspected that Patterson was "playing both ends against the middle": feeding information to Brown and prospective Clinton opponents on Clinton's sexcapades, while simultaneously, Brown says, "making book on me: women, trips, things he had heard." Patterson maintains that, to the contrary, he fell out of favor with Clinton as the result of his relationship with Brown. "My job in governor's security was put in jeopardy because I was giving L.D. information," he says. "I was sent home from governor's security by Bill Clinton on two separate occasions, because he got mad and threw fits and told me, 'You're not going with me, get your goddamn ass out of here. I don't want to see you.'"

While he clashed with Brown over the latter's increasingly personalistic leadership style, "I did not, I would not, and I have not" colluded with Clinton to ruin Brown, he says. "L.D. and I had some serious problems, but I never thought to have L.D. Brown investigated in any way, shape, form, or fashion. L.D. Brown is a very intelligent person and could have done the best job of anyone I know in the state police of running the association, but L.D. got to the point where he thought he had total and complete control and that was L.D.'s problem."

Patterson says that state trooper Mark Allen was Clinton's cut-out in the campaign to destroy Brown. At an

association barbecue in Pine Bluff, "Mark Allen got up in his face and screamed at him," Patterson recalls. "He accused him of being a liar, accused him of being a thief, of stealing money. This is when the demise of L.D. began. Mark Allen was not acting spontaneously. Bill Clinton was telling him every move to make."

Says Perry, "While not stealing the money, [L.D.] was not using the funds wisely." Brown himself acknowledges excesses ("We spent some association money kind of rocking and rolling," he says), but defends the expenditures as standard in a region where lobbying was long defined by the "three Bs": beef, bourbon and blondes. "There always was a politician there," he says. "We would talk business. That is just basically the way you lobby there, because we can't give them any money by law, we can't make a campaign contribu-

tion. A legislator would be out with us, and he would want to take a woman with him, and we would pay for all of it."

Perry was an unlikely choice to succeed Brown as president of the association. Previously uninvolved in association affairs, laconic and somewhat halting in speech, he was reluctant to assume the mantle of leadership. But he was considered a loyal Clintonite, conveniently available to the governor as a member of his security detail and amenable to his direction. It was Mark Allen, Perry says, who initially prevailed upon a reluctant Perry to run. "He stayed on my butt, and there were conversations between Mark and myself in front of



Clinton where he said things to Clinton like, 'Don't you think Roger would be a good president of the association?'

"I told Bill Clinton that I was thinking of running for president of the association and he said, 'Good, somebody needs to beat the sorry sonofabitch.' He talked about L.D. like he was a dog." Perry's resistance to running began to melt. "Bill Clinton asked me everyday how it was going, and he said, 'If I can do anything to help you let me know.' I didn't want to run." According to Perry, when he grew nervous about his first public speech, Clinton said, "Shoot, I've got some time. I'll sit down and help you."

Perry's decision to run was met with glee in the Clinton camp. "Hillary's response," Perry said, "was she held up her two fists and said, 'All right! Nail the asshole!'"

His spirit sapped by the escalating campaign against him, Brown opted against running for re-election and was succeeded by Perry. But Clinton, according to Patterson and Perry, was determined to polish off

his wounded enemy. Patterson and Perry say that during a Saturday-night meeting at the mansion, Clinton expressed impatience that no criminal investigation had yet begun into Brown's management and wondered aloud why the authorities were "dragging their feet." The two explained that Goodwin was protecting him.

Sunday morning Goodwin appeared at the mansion for an hour-and-a-half meeting, Perry remembers. "Clinton comes out and he says, 'You're not gonna believe what the sonofabitch told me.' That's his exact words. And I said, 'What's that, Governor?' 'He told me that L.D. Brown was the best investigator in the state police.'" Shortly after that, the state police investigation was initiated. (Goodwin does not remember a one-on-one Sunday meeting, but seems to remember telling Clinton that Brown is the best investigator he had on the force.)

While the investigation intensified, Brown's contract to edit the association's magazine was cancelled, adding to his woes. Legal bills incurred in defending himself and suing the magazine publisher mounted. While Brown nursed his wounds, his successor thrived on his relationship with the newly generous governor. "Anything that Larry and I went up to the capitol and asked for we got," says Perry. "See, [Clinton] had someone that was loyal to him, friendly to him. As far as the pay raises, he could just as easily have done that while L.D. was president."

Ultimately, the investigation of Brown foundered for lack of evidence of wrongdoing. "It's obvious that I don't have any heartburn that L.D. was not prosecuted," said a trooper assigned to the investigation. "People wanted to talk all about personal stuff that really didn't have much to do with the actual charges themselves, and it was not fair to subject him to that kind of ordeal." Even the prosecuting attorney for Arkansas's 6th judicial district, Clinton loyalist Mark Stodola, found no basis for prosecution. But Clinton remained unreconciled. "Clinton was pissed off at Stodola for not doing it," remembers Perry. Perry claims Clinton told him, "I don't understand why he's not doing it. They just investigated the attorney general for the same damn thing."

Even so, L.D. Brown, Bill Clinton's worst nightmare, had been neutralized. "Clinton has got me out of the political mainstream, number one," Brown explains, "and number two, if I ever came out on the record and said something, he would bring that up."

"Clinton had me exactly where he wanted me. Maybe he still thinks that he does. And maybe he does."

VIII

Perry, Patterson, and Brown each maintain that Clinton instigated a trumped-up criminal probe of Brown to dispose of a politically dangerous foe. If they are right, then the affair establishes Clinton's willingness to subvert public law enforcement machinery to personal political ends, as he would later do, it has been alleged, in the White House travel office affair, the Foster death investigation, and the Webb Hubbell Justice

Department's reluctance to pursue David Hale's allegations of criminal acts by Clinton.

Seven individuals have now claimed that they have been offered bribes or been threatened, or both, by Clinton or his associates to discourage them from speaking openly about what is arguably his outstanding political weakness. Gennifer Flowers received a state job. Sally Perdue alleges a federal job offer and a veiled threat. Danny Ferguson said initially that Clinton discussed jobs for both Roger Perry and himself. Larry Patterson says Buddy Young issued a veiled threat. L.D. Brown says he was offered a buy-off, threatened with reprisals, and subjected to a Clinton-inspired criminal probe. These alleged attempts to silence whistleblowers, if true, represent only those attempts that failed. How many have been successfully muzzled? And at what price? Is this the x factor that explains how Clinton managed for so long to outrace his past? □

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An MIA Cover-Up?

John Kerry vs. John Corry

In publishing John Corry's "article" on the work of the Senate Select Committee on POW-MIA Affairs in the February issue of *The American Spectator* ("The MIA Cover-Up"), you have done a disservice to the nation. It is filled with lies, distortions, and fabrications which serve only to manipulate and exploit the very families of POW-MIAs it purports to inform. Claims that we engaged in a cover-up and have evidence of American POWs remaining alive in Vietnam are patent lies.

Unfortunately, there are some people who over the years have developed a vested interest in conspiracy theories. Inevitably, the theories are based on distortions of reality, and in some cases, on outright fabrications. In the *Spectator's* piece, there are examples of both.

For starters, there is Corry's report that I told staff investigators for the committee that if they leaked documents, they would wish "they had never been born." All committee staffers were strongly warned not to leak any information, but never with the words or in the manner recounted. Either Corry's "anonymous sources," whoever they are, made it up, or he did.

The charge is phony that members of the select committee destroyed all copies of an investigators' report concluding American POWs remained in captivity as late as 1989. The so-called "shredded document" was secured and given to Senate security until it was released to be sent to the National Archives along with thousands of other documents from the committee.

The truth of this incident, which was readily available to you, is as follows:

In April 1992, a small number of "investigators" for the committee minority presented their personal opinions to the members of the committee that so-called "cluster mapping," which looks at concentrations of POW/MIA reports,

proved that Americans remained in captivity in Vietnam.

In addition it should be noted that the small number of staff, contrary to the opinion of other staff, had drawn these conclusions prior to the senators on the committee ever analyzing the intelligence, checking the underlying data with any agency whatsoever, or signing off in any way on those conclusions.

The vast majority of senators on the committee had drawn no conclusions, and indeed had no opinion at this time. Nonetheless, the minority staffers presented their opinion as if it were the conclusion of the committee itself. Contrary to their unscientific and contested assertions, detailed intelligence available to the committee, and now a part of the public record, showed these "clusters" of reports to be speculative at best. The underlying intelligence on which a vast number of reports on which the "clusters" were based had been proven to be false.

For example, one area identified by the "cluster sightings" was near Dak Chung in Laos. The U.S. government looked at the sixteen live-sighting reports from that area. Two were first-hand reports that had nothing in common with the other fourteen hearsay reports. The initial first-hand report was an accurate description of an accounted-for American moving up the Ho Chi Minh Trail. The source of the second first-hand report admitted lying. Six of the hearsay reports recounted the same story, and seemed to corroborate each other. On investigation, it turned out that five of the six sources repeated a story told to them by the sixth person. Thus, there was not a "cluster" of six but a "cluster" of just one source. And that source then admitted he had lied about his original story and had never seen an American in the first place.

Confronted with these facts, the members of the committee rejected the con-

clusion that the clusters even came close to "proving" there were men still alive. The majority found the evidence not even probative. Because the conclusions were premature at the time, unsubstantiated by analysis and not yet passed on by the senators themselves, the committee decided, without dissent of any senator present, to protect the integrity of its work. It secured all copies of the document to prevent it from becoming the subject of scurrilous leaks that would misrepresent as fact the misleading conclusions of the minority staff. One copy of the document was retained for the record and placed in Senate security, until under our own declassification it was transferred to the National Archives, where, if you had taken the time, you could have read it.

It is important to note that the committee was alerted to the inevitability of leaks because only days before the "secret" briefing, *Time* magazine wrote that the committee was poised to release stunning new information on the POW/MIA issue. Only one group of people could have been responsible for leaking titillating teasers about the false information they were about to present to a "secret" meeting of the committee. No other investigators believed the information was accurate or significant, and no one else had an interest in hyping false information. With the creation of this phony conclusion, it became evident that the purpose of this small group of staff in creating the document was either to force the full committee to adopt it—or to face the risk of being charged with a cover-up. This is exactly what is happening, despite the fact that nothing was ever covered up.

It is disturbing that the *Spectator* chose not to check its facts by reviewing the millions of pages that were declassified at the urging of our committee. I am also dismayed that at no time did anyone

from the magazine call me for a response, particularly in light of the seriousness of the allegations.

It is very hard for me at a personal level to understand how anyone could believe that we sought anything but the truth concerning the fates of the men who failed to come back from Vietnam.

To believe in the conspiracy to cover up is to believe that every president, every senator who served his country, every general, admiral, colonel, captain, and so on who has ever touched this issue has somehow joined the cover-up, betrayed his country, and kept silent all these years. What an extraordinary tale! The whole purpose of the bipartisan Senate Select Committee on POW/MIA Affairs was to investigate all the allegations, and to try to sort truth from fantasy.

Ironically, the greatest contradiction of cover-up is the fact that the final report found that some Americans may have been left behind as of homecoming, but that there was no compelling evidence any were still alive today. This finding was unanimously agreed to, by twelve senators spanning the political spectrum, including the Republican ranking member, Bob Smith.

After reviewing tens of thousands of pages of testimony and hundreds of thousands of documents, we unanimously concluded:

As much as we would hope that no American has had to endure twenty years of captivity, if one or more were in fact doing so, there is nothing the Members of the Committee would have liked more than to be able to prove this fact. We would have recommended the use of all available resources to respond to such evidence if it had been found, for nothing would have been more rewarding than to have been able to re-unite a long-captive American with family and country.

Unfortunately, our hopes have not been realized. This disappointment does not reflect a failure of the investigation, but rather a confrontation with reality. While the committee has some evidence suggesting the possibility a POW may have survived to the present, and while some information remains yet to be investigated, there is, at this time, no compelling evidence that proves that any American remains alive in captivity

in Southeast Asia. . . . The live-sighting reports that have been resolved have not checked out; alleged pictures of POWs have proven false; purported leads have come up empty; and photographic intelligence has been inconclusive, at best.

I also wish to note the impact that deceptive articles like the one which appeared in the *Spectator* are having on the families of the victims—the very people that the *Spectator* claims as its own special charge. Midway through the article, John Corry presents the case that the committee had information that a Col. Wallace Hynds was left behind, alive, in Vietnam, as a POW. Corry asserts, “That Colonel Hynds was cap-

alive in Vietnam. She says Col. Hynds was not captured alive, but was killed when his plane was shot down and exploded on impact. She said that she and her family have always been certain her brother was killed, based on the intelligence information and testimony they reviewed. She and her family are angry that bogus stories that her brother might be alive keep making their way into print due to the distortions of people who either do not know what they are talking about, or who are willingly misrepresenting the truth.

If there is “an ever-widening moral stain” that still exists in connection with U.S. POW/MIAs, those who are covered with it are the conspiracy theorists who attack the integrity and motives of those who continue to work to resolve these cases. It is these false conspiracy claims, and the direct-mail, telemarketing, and irresponsible journalistic industries which feed off them, which today impede the process of healing and completion that needs to take place for the families and friends of those lost. *The American Spectator’s* choice to give credence to the distortions of the committee’s work on the POW/MIA issue has left it taking on this moral stain as its own.

—John Kerry
U.S. Senate
Washington, D.C.

John Corry replies:

Senator Kerry’s intemperate letter has almost nothing to do with anything I wrote. If either *The American Spectator* or I had committed the crimes he describes, we certainly would have done “a disservice” to our country; but we did not commit them, and I suggest that “lies, distortions and fabrications” are words that apply more appropriately to the senator’s letter than to the *Spectator* story.

Senator Kerry is disingenuous from the start. He says my “article”—cleverly putting the word in quotes—was about the work of his committee. It was not. It was about the methods used by government agencies, especially the Defense Intelligence Agency, to discredit reports that American MIAs had been abandoned in Southeast Asia. I noted, for example, that the Defense Intelligence Agency had received more than 15,000 live-sighting reports of American prison-

Whitewater Sociopaths. by James Ring Adams

THE AMERICAN SPECTATOR

FEBRUARY 1994 A MONTHLY REVIEW EDITED BY R. EMMETT TYRRELL, JR.

The Men We Abandoned

— John Corry on the MIA Cover-Up —



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ured alive seems indisputable; the Pentagon, however, has always listed a Col. Wallace Gurley [sic] Hynds as killed in action.”

Last week, I received a call from the sister of Col. Wallace Hynds, who is certain he died in Vietnam in a plane crash. She was disturbed that the account of her brother’s loss put forth in the *Spectator* was entirely inaccurate. According to Col. Hynds’s sister, the pilot ID card that the *Spectator* asserted is on display in a museum in Vietnam does not belong to her brother, Col. Hynds, but to someone else. She says she was having a meal with her brother in their hometown prior to his departure for Vietnam on the very date Corry reports her brother last seen

ers, some 1,650 of them first-hand, but that it had never accepted a single report as proof that an MIA was still alive, or ever had been alive, in Southeast Asia. "This," I wrote, "defies the laws of probability."

I identified, by name, the Vietnamese prisons where I thought our MIAs had been held. I also identified, by name, the cemeteries where I thought some were buried. I said the Pentagon had dismissed credible accounts of Americans held in captivity, and I provided evidence to prove it. I did not buy into any conspiracy theories, but I said instead that the early flawed estimates on the number of MIAs had calcified into official policy. My story was well documented and well researched, and if it had any factual errors I am sure the senator would have pointed them out. He is unable to do so, and instead misrepresents what I wrote while implying I am a liar.

Apparently, what distresses him most is my reporting on a study by staff members of his own committee. The staff members looked at the 1,650 first-hand live-sighting reports the Defense Intelligence Agency had rejected. They dismissed the reports that seemed the least plausible; then they dismissed the ones in which the source said he had seen only a single man who might have been a prisoner. They reasoned that a single man, even if he appeared to be a prisoner, might have been a deserter or straggler and not a POW.

That left them with 929 first-hand live-sighting reports, all involving two or more men allegedly seen in conditions indicating they were prisoners. They plotted the 929 sightings on a map of Southeast Asia, using pins to mark each one. Cambodia drew no pins; Laos and some areas of Vietnam drew only a few. Other areas of Vietnam, however, drew pins in clumps or clusters. In every place where there was a cluster, there was also a Vietnamese prison. The committee investigators, who, for technical reasons, were using live-sighting reports that extended only through 1989, drew an obvious conclusion: "that American prisoners of war have been held continuously after Operation Homecoming and remain[ed] in captivity in Vietnam and Laos as late as 1989."

I wrote that Senator Kerry was unhappy with the investigators' report, and that he told one of the investigators that if the

report ever leaked out, "you'll wish you'd never been born" (not "they would wish they had never been born"). My source for this stands by his story. Actually, it is an inconsequential point. I also wrote that Frances Zwenig, the committee's staff director, ordered that all copies of the investigators' report be destroyed, and that their computer files be purged.

Senator Kerry rejects my account of this, and then purports to tell the "truth" of what really happened. He says that "a small number of investigators for the committee minority presented their personal opinions," and that they relied on "so-called cluster mapping." He also says that the senators themselves examined the intelligence data on which the investigators based their finding, and found the data faulty. To prevent "scurrilous leaks," he insists, the committee then "secured" all copies of the investigators' report.



Senator Kerry tells this truth, however, only through innuendo, misdirection, and a calculated rearranging of facts.

The senator, to begin with, puts the word "investigators" in quotes, implying they were not investigators at all, but instead irresponsible partisans, presumably pushing a conspiracy theory. This is innuendo. He also refers to the "so-called cluster mapping," and puts quotes on "cluster mapping," implying it is a bogus technique.

In fact, there were six investigators—Kerry misleadingly refers to their "small number"—and they were the only members of the committee staff who were assigned to examine the intelligence reports on MIAs. John McCreary, who was generally considered to be the lead investigator, was a senior intelligence analyst, a GS-15, temporarily detached from the Department of Defense, where

he had twenty-five years of experience. In the intelligence community he is highly respected. Kerry, however, says McCreary and his colleagues were only presenting their "personal opinions." This is more innuendo. Kerry is merely trying to discredit the investigators' findings. Moreover, cluster mapping is an established intelligence technique. It was used during the Gulf War to plot the locations of Iraqi Scud missiles.

The senator seems to suggest—that his letter's wretched prose is unclear here—that the other members of the committee staff disagreed with the finding of the intelligence investigators, and that this was one reason the report was "secured." The other members of the staff, though, were not charged with examining intelligence reports; only the six investigators had that duty. Whether the other staff members agreed or disagreed with them was irrelevant, and I have no idea what the senator means by "scurrilous leaks."

More important, in telling his truth the senator ignores the principal point of my story: that intelligence reports on MIAs, especially live-sighting reports, have been consistently mishandled. He is blowing smoke when he mentions Dak Chung in Laos. He is blowing even more when he implies that the senators on the committee carefully examined all the intelligence reports, and then made a reasoned judgment. Senators do not do that kind of work; their staffs do. The Senate committee held hearings and meetings for more than a year. Senators trooped in and out of the hearings and meetings at random. (Kerry, referring to the meeting at which the intelligence investigators presented their report, says magisterially that "the committee decided, without dissent of any senator present, to protect the integrity of its work." In fact, when the investigators finished their presentation, only one senator was still in the room.)

Kerry's citation of Dak Chung is meaningless. There was no heavy clustering in Laos; the significant areas were all in what once was North Vietnam. More important, though, Kerry's characterization of the Dak Chung live-sightings is based on the analysis he received from the Defense Intelligence Agency; and the cluster-mapping technique was used precisely because DIA analyses have been so faulty.

The investigators made that clear in their soon-to-be-"secured" report. They

said that "the conclusions of the Gaines Report in 1986 remained valid." The Gaines Report, which I quoted at length in my story, was an internal document in which the DIA, in a short-lived spasm of self-criticism, examined the ways in which it evaluated information it received about MIAs. It found, in effect, that the DIA bullied sources who came forth with information about MIAs, called an inordinate number of them liars, and sought to discredit reports of live sightings. The Pentagon classified the Gaines Report as soon as it was released.

None of this, of course, is news to Senator Kerry, although he gives no sign of it in his shrill letter. I have no idea what motivates him, except, I suppose, a long-time determination to normalize relations with Vietnam, but his posturing now as a champion of MIA families verges on the offensive. As nearly as I can tell, most of the families distrust and dislike him. I do not doubt that he, or someone in his office, received a call from the sister of Col. Wallace Hynds, but everything he says, or tries to say, about my reporting on Colonel Hynds is deceptive. I sympathize with Colonel Hynds's sister, but I must point out that the information I used came not from people who "do not know what they are talking about," but from the Vietnamese. The senator has believed them in the past, and I think he should believe them now.

Meanwhile, the senator must also be responded to on his lachrymose assertion "about how very hard it is for me at a personal level to understand how anyone could believe that we sought anything but the truth concerning the fates of the men who failed to come back from Vietnam." This should not be that difficult for him to understand.

While the committee hearings were still in progress, John McCreary, the senior intelligence analyst, asked Senator Kerry to appoint an independent counsel to investigate improper contacts between the committee and the Defense Intelligence Agency. McCreary's memo, which is part of the public record, said, among other things, that an independent counsel was needed "to restore the integrity of the select committee." McCreary's request, of course, was denied.

Moreover, after the hearings had concluded, Senator Bob Smith, the committee's own vice-chairman, asked Attorney General Janet Reno to investigate possible

criminal violations by ten current or former government officials who had testified at the hearings or been involved with MIA affairs. Smith thought that at least some of the officials had lied, or, as he put it in his letter to Reno, offered "false testimony and statements." Smith's request, of course, was also denied.

And finally, there are so many questions about our MIAs that are still not answered, either by Washington or Hanoi. I noted in the *Spectator* story that in June 1992 a satellite had picked

up S-E-R-E-X etched on the ground near Dong Vai prison. Recently I received a call from the daughter of Major Henry M. Serex, an Air Force electronic warfare officer, who was shot down over Vietnam in 1972, and whom the Pentagon has listed as dead. She told me a terrible story about traveling to Washington with her mother and sister to find out information about her father, and of being "belittled" by government officials. "It just isn't right," she said. "This isn't supposed to happen." □

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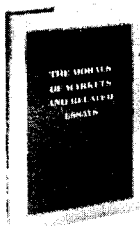
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The Japan That Can Say Maybe

by William McGurn

Tokyo

On this bitter, windswept morning in Japan's capital city, it is hard to tell a revolution is afoot.

All along the extensive Tokyo subway network, legions of blue-suited salarymen still crowd the trains as they leave for the office, where they will sit at their desks all day until someone finally screws up the courage to be the first to leave. Likewise the major newspapers, which despite the lifting of the rice ban continue to debate whether a pot of foreign rice really could ever be as tasty as the Japanese variety. And over at the Matsuya Department Store in the heart of the Ginza shopping district, white-gloved elevator girls dressed like stewardesses begin their day ferrying passengers up and down the store's seven flights, stepping out at each floor to announce arrivals and departures. Immaculate, polite, and elegantly indifferent to the chaos around them, the girls embody the maddening contradictions of Japan, Inc.: comforting, reliable, and, ultimately, inefficient.

But there is another side to Japan these days, and the fault lines suggest that the people here may not be so immune to world trends after all.

On a nondescript side street just a few hundred feet from where Matsuya's elevator girls work, stands Aoyama Men's Store. It's hard to miss. Outside, bulging bins hold rows of white shirts; inside, rows of men's suits and sports jackets crowd the racks. They look like any other Japanese suits, mostly dark, all conservative. But there is one difference: price. As the Sony speakers blaring outside shout, Aoyama offers the "best prices in Tokyo." Suits here cost up to 40 percent less than elsewhere, and the Ginza branch is but one of hundreds of Aoyama shops

around the city. Even in the thick of Japan's worst recession in years, Aoyama plans to expand by another hundred stores this year. Later this spring, the company will begin carrying JC Penney products.

Aoyama is far from alone. A profusion of discount stores have cropped up, bypassing the usual supply routes. In the nightclub area of Roppongi, a colleague takes me to a store called Collezione. Here the goods are more upscale—plenty of Giorgio Armani labels, for one thing—but the prices are much cheaper than anywhere else. In the last six months, this shop has expanded twice, once in the same building and then across the street. The owner of another discount chain, Toshio Miyaji, recently took a group of thirty-eight workers to Europe where he gave them cash and orders to come back with a set number of bargains, which were then sold in the chain for what the company claims was a profit of ¥600,000. One sign of the success of such groups is the ire of their upscale competitors: the exclusive Y's (which markets clothes designed by its president, Yoji Yamamoto) filed suit against the Osaka-based Outlet Japan Co. for going through unauthorized distributors to sell Y's clothing at a cheaper price.

Nor is the retail clothing industry the only market to change. On late-night TV, hawkers flog British lambswool cardigans, and both L.L. Bean and Apple computer are among a number of U.S. firms doing a healthy mail-order business. Maverick travel agent Tashio Goto has taken on the Ministry of Transport in a one-man campaign to bring cheaper air fares to Japan. Liquor and cosmetics have also been opening up. It's still not cheap; I saw a bottle of Chivas for ¥3900. But the steep dollar price today is in part a function of exchange rates that have offset (and distorted) the real drop in the yen price.

"You know how you can tell something

has become cheap in Japan?" asks Kazuo Nukazawa, managing director of Keidanren, a big-business group. "They are not used as Christmas presents anymore.

"Years ago Japanese used to give bottles of Johnny Walker Black as Christmas presents, because everyone knew it was worth 10,000 yen. It was the same price everywhere, and it was like giving a 10,000-yen note. But today there are discount stores and the price has dropped. So no one gives it anymore."

Like most Japanese officials, Nukazawa has spent time in the U.S. and knows America and Americans much better than we know Japan or the Japanese. He is cheerful, outspoken, and, as others tell me, completely unrepresentative of most of his Keidanren colleagues. As we leave his office for dinner, he gives me a small triangular box with a present inside. I protest, but to no avail. "Open it," he says. I do, and it turns out to be a walnut doorstop with the Keidanren logo over the motto "We keep our door open." We both laugh.

Now, revisionists would point out that Nukazawa represents the Japanese establishment, and, like most establishment officials dealing with foreign reporters, he is killing me with kindness. Don't confuse this for cooperation, they say. Indeed, Bill Clinton told Boris Yeltsin as much during their April 1993 meeting in Vancouver, when he warned the Russian president to be wary of the Japanese "because when they say 'yes' they frequently mean 'no.' " The story caused Clinton much grief when the Japanese press publicized it during the G-7 meeting in Tokyo a few months later. His insistence today on set numerical targets for American goods is his way of making sure that any Japanese "yes" henceforth will indeed mean "yes."

The Japanese side, Hosokawa included,

William McGurn is senior editor of the Far Eastern Economic Review.

bitterly opposes targets, arguing rightly (though with not a little chutzpah) that such bilateral deals are inimical to free trade. Such protests notwithstanding, the Japanese will inevitably cave when U.S. pressure is strong enough and focused on one company, as they did by agreeing to such targets in the March 12 agreement over Motorola's cellular phones. Without doubt this is nice for Motorola, but it does little to boost trade or open Japanese markets.

The question is not whether the Japanese close their markets. They do, though it is not as simple and they are not nearly as closed as popular folklore would have it. The more important questions have to do with the undeniable changes bubbling up from the bottom of modern Japan: whether they are genuine, whether they will be lasting, and whether U.S. trade strategy might not be completely irrelevant. Japan's recession is only the tip of this iceberg. "It's not just cyclical," says Mineko Sasaki-Smith, a senior economist at Morgan Stanley Japan. "It's also structural. Japan simply has to change the way it does business."

That much almost everyone here acknowledges. Those looking for answers, alas, have largely confined themselves to all the wrong places. Most obviously, they have looked to politics. The collapse of the Liberal Democratic Party after thirty-eight years of unbroken rule did indeed mark a significant evolution in Japanese life, but the ascendancy of Morihiro Hosokawa to the prime ministership was less a cause of this change than a symptom of more fundamental shifts only dimly understood. Already some disenchantment has set in. Critics who feel let down point out that the prime minister has found it hard to break with old ways—everything from backroom deals and tax increases to recent reports that he too had accepted sweetheart loans from the same Sagawa Kyubin company at the center of the scandal that brought down the LDP. "Outside Japan people think Hosokawa is very smart," a Japanese businessman tells me. "But here we do not have such a high opinion of him."

That's probably not entirely fair. For one thing, the prime minister lacks a mandate; his Japan New Party is only the fifth largest in the Diet. For another, expectations are simply too high. The problem is not Hosokawa's leadership. The problem is looking to Hosokawa for leadership. "There is an understandable tendency to personalize the issue, to equate

Hosokawa with political reform," says Peter Tasker, author of *Restructuring Japan*. "But in many ways Hosokawa is a traditional figure," following change rather than initiating it.

Hosokawa's shortcomings become painfully clear when the substance of his economic and political programs is held up to scrutiny. Japanese politics is notoriously corrupt, and the public dissatisfaction with the status quo understandably led Hosokawa to focus his energies on a political reform bill rather than on recharging the economy. But the new package—which Hosokawa was forced to water down to get it through—is nowhere near the watershed claimed. True, it does introduce direct competition between individual politicians, which should give the public here some genuine policy choices. But it also includes provisions for public financing that will increase government involvement rather than lessen it and contribution caps that will only send contributions underground.

Most striking of all, the reform package betrays not the slightest appreciation of the chief reason for Japan's endemic corruption: the close relationship between business and government. In vertically oriented Japan where some 10,000 regulations limit competition on the basis of price and quality—and where anything that is not expressly permitted is forbidden—businessmen are forced to seek relief from regulatory and tax agencies. This was precisely the case with Sagawa Kyubin, the trucking company whose Y2.15 billion payoffs to Japanese politicians between 1988-92 ultimately brought down the LDP. Sagawa Kyubin started paying off politicians, because it needed help getting licenses to expand. The same goes for the Recruit shares-for-favors scandal and the Lockheed scandal before that. The bureaucracies have wide discretionary powers, which means that favorable interpretation of the rules becomes of paramount importance.

How important? Well, say you were a farmer with a plot of land. Under Japanese law, it is next to impossible to sell your farmland for commercial use. But if you could get your land reclassified as commercial, you could make a fortune. And how else to do this but through connections and payoffs. The same stifling system of regulations applies to most every market here, with predictable results. Unless this struc-

ture changes—especially on the tax and regulatory front—it will not be long before Japan's new leaders resort to old ways.

On the surface, Hosokawa appears to understand all this. Citing his experience as governor of the Kumamoto prefecture, the prime minister declared himself "determined to do away with regulations which increase the cost of business, and cost to the consumers." Like so many other things, however, deregulation in Japan has not made it much past the level of fad, frequently invoked but little understood.

Nowhere have the contradictions been more striking than on taxes. Again it suggests that those at the top have not quite grasped the ferment bubbling up from the bottom. Certainly something here has changed when the government feels compelled to offer a tax cut—and backs down, if only for the moment, from an effort to let the Ministry of Finance (MOF) grab it all back the following year through a hefty increase in a consumption tax that was itself a precipitating cause of the LDP's decline. But the fact remains that Hosokawa came out wholeheartedly for jacking up this tax, which he arrogantly tried to sell as a "national welfare tax."

This is a key point. Unlike the Reagan tax cuts that focused on individuals by drawing a sharp distinction between tax rates and tax revenues, Hosokawa's Y5.85 trillion (\$55 billion) was part of a larger, Y9.4 trillion Keynesian package of public-works spending, subsidies, and loans. In short, this is not about empowering Japan's beleaguered consumer, but about treating him as a stimulatory lever, to be switched up and down as the MOF sees fit. This year the MOF wants the consumer to have more, in the hopes that he will spend it on Japanese manufactures and thereby stimulate demand. Once this is accomplished, the lever will then be switched back up with a hike in the consumption tax.

In fairness to Hosokawa, almost everyone in the Japanese establishment, including the press, supports the government line that sometime tomorrow the public will have to "pay" for their tax cuts today. Even folks like Yoshio Terasawa, a liberally oriented businessman-turned-politician speaks frankly of the government package as a tax *increase*. "Of course, we should not raise the taxes now," says Terasawa, who spent much of

(continued on page 83)



From the Finland Station

by Herbert E. Meyer

The Russian Revolution of 1991 is beginning to fail. Like an under-powered rocket, it has ceased rising toward the stability of orbit and instead has begun its tumbling, catastrophic descent into history.

To understand why this revolution is failing one need only consider why some other revolutions in formerly Communist countries are succeeding. For it turns out that what Tolstoy wrote about families in *Anna Karenina*—that all happy ones are alike, but that each unhappy family is unhappy in its own way—is also true of revolutions.

The similarity among the successful revolutions is this: each of these countries is led by men who were anti-Communists when anti-Communism was not only unfashionable, but physically dangerous: Men like Poland's Lech Walesa and the Czech Republic's Vaclav Havel risked their lives again and again in opposition. They proved themselves men of courage, character, and tenacity. Simply put, these are men whose heads are screwed on tight. Do they make mistakes and bad decisions? Of course. But they and their colleagues fundamentally know right from wrong, and they simply will not allow their countries to revert to pre-revolutionary policies.

By contrast, there are no anti-Communists in the Yeltsin government. Not one. Yeltsin himself was a high-ranking Communist official before his collisions with Politburo colleagues sent him into the political wilderness. Prime

Minister Viktor Chernomyrdin was the quintessential industrial apparatchik. And where was Andrei Kozyrev, Russia's oh-so-reasonable foreign minister, during the 1980s? Climbing steadily up the Soviet Foreign Ministry's career ladder, shamelessly promoting Soviet interests, and never once publicly opposing its vicious policies in Afghanistan or anywhere else. Likewise the yuppie diplomat Vitali Churkin, whose quick wit and unaccented English have made him a talk-show favorite. Now busily helping "secure the peace" in Bosnia—by propping up the Serbs—he was among the Soviet Foreign Ministry's leading propagandists during the 1980s.

The problem is not so much that these are thoroughly bad men; arguably they are not, and certainly Yeltsin's courage in August 1991 has secured his place in history. The problem is that these are not primarily men of principle, but compromisers, deal-cutters, and cynics. In the classic sense of the word, they are careerists.

And as with all careerists, their primary

objective is the protection of their own status. That is why Russia's highly touted new constitution includes two provisions that simply should not be there. The first prohibits anyone over the age of 65 from running for president; it is sometimes called the Solzhenitsyn clause, since that great man is the only Russian over 65 with the stature to run and win. A second provision prohibits anyone who hasn't been a resident of Russia during the past ten years from seeking office; this one is known as the Bukovsky clause, after the great dissident Vladimir Bukovsky. It is designed, of course, to block from power all those who risked their lives to topple the Soviet Union and for their efforts got jailed, tortured, then kicked out.

In sum, the Russian Revolution has turned out to be less a revolution than a reform—like a fully realized implementation of Mikhail Gorbachev's perestroika. Increasingly, it looks as though this is as far as Yeltsin & Co. are willing to go.

Or able to go. For among its other horrors, Communism turned out to be—in the purest and most hideous sense—an experiment in social (some would even say genetic) engineering. When the Communists set out to create Lenin's "New Soviet Man," they did so by shooting or otherwise destroying as many of the best, the brightest, and the most principled as they could get their hands on. In Russia this ghastly experiment lasted for more than two generations, versus one to one-and-a-half in Poland, Czechoslovakia, Hungary, and elsewhere. The result is that Russians inhabit a society explicitly structured to function with the best people—and the noblest ideals—removed from it. It isn't a coincidence that, while voters in the other countries choose more or less normal people to represent them, Russian voters turn



Herbert E. Meyer served during the Reagan Administration as special assistant to the director of Central Intelligence and vice chairman of the CIA's National Intelligence Council. His most recent book is Hard Thinking: The Fusion of Politics and Science.

to a man like Vladimir Zhirinovsky. He is, alas, their kind of guy.

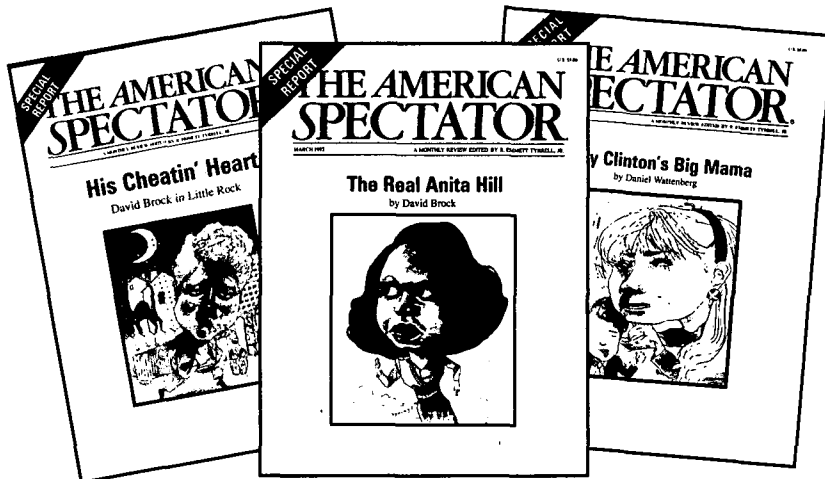
This is not a problem that can be corrected easily or swiftly. However, despite everything the Soviet Union did to kill off the kinds of men and women morally and politically capable of leading Russia to a democratic stability, such people do still exist. Nonetheless, with the advantage of 20/20 hindsight, it is apparent that while in most of the former Communist countries we have focused on helping the anti-Communists, in Russia we have focused on helping the reform Communists. This may well have been worth a shot—no need here for a witch hunt over who “lost” Russia—but siding with the reform Communists turns out to have been a mistake and we need to retarget both our assistance and our allegiance. The worst mistake we could make now would be to cling to the Yeltsin government simply because it is better than its predecessor. It is, but that isn’t good enough.

The advent of the Yeltsin government is not the culmination of Russia’s transition to democracy, but merely the potential beginning of it. It is true that reformed Communists are less awful than unreformed Communists, but it is increasingly apparent that the difference is less than one might hope. Indeed, through policies such as its tightening clamps on the press and its new reluctance to grant travel visas to Westerners, the Yeltsin government is starting to look more and more like its predecessor.

Thus a continuation of the policies and approaches that helped bring down the Soviet regime—with some modifications, to be sure—is very much in order. These include a strong military posture and the kind of diplomacy that used to be called, accurately and with pride, containment. It certainly includes the strengthening of NATO and its expansion to Poland, the Czech Republic, Hungary, and whichever other central European countries wish to join and have something to contribute. And SDI, which was a good idea in the 1980s, looks to be an even better idea now.

For despite our high hopes and the early promise of the present regime, Russia seems to be repeating its 1917 pattern of one incomplete revolution, to be followed inevitably by a second. For Western policy makers, the strategic objective must be to help assure that, this time, the second revolution completes the first rather than reverses it entirely. ☐

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Howard's End

by John Corry

How does the press handle Louis Farrakhan? By explaining him away for one thing; by suspending its moral sense for another. The screwball leader of the Nation of Islam has touched off a media seizure. Media seizures come and go, and as a rule have no lasting effect, although the one over Farrakhan is different. Tonya Harding, the Bobbitts, the Menendez brothers, and Michael Jackson also touched off seizures, but they represented no one except themselves, while Farrakhan commands a movement. That the movement is anti-Semitic and anti-white is apparent; that its prejudices and paranoia are shared by many black Americans is apparent, too. The press can deal with the first point, but becomes unsettled by the second. There are some things it would rather not know.

This has an established history. A few years ago, for example, the *New York Times* and CBS News found in a joint poll that 60 percent of black New Yorkers either believed, or thought it possible, that "the Government deliberately makes sure that drugs are easily available in poor black neighborhoods." More astonishing, the poll found that 29 percent of black New Yorkers either believed, or thought it possible, that AIDS had been "deliberately created in a laboratory in order to infect black people." Mandatory multi-culturalism and the drearier outpourings of black-studies departments had had their effect. It was clear that blacks and whites lived with opposing realities in America's most liberal city.

The poll made both the *Times* and CBS uneasy. The *Times* kept it off page

one, did not comment on it editorially, and ran no letters about it on the op-ed page. CBS ignored the poll's findings on the "Evening News." Black paranoia is a painful topic, and it is remarked on in the mainstream media only when it cannot be ignored. The year before the *Times*-CBS poll, the press duly, if belatedly, noted that a black aide to Mayor Harold Washington of Chicago had asserted that Jewish doctors were injecting black babies with AIDS. Virtually unnoticed, however, were similar assertions on black talk shows and in black newspapers. The *Los Angeles Sentinel* reported, for instance, that "the [AIDS] virus was made in an American military lab as a means to suppress blacks." The banner headline said: "Blacks Intentionally Infected."

(A corollary point now, harking back to the old Evil Empire, but still relevant today: Disinformation can be wonderfully effective. In 1986, two East German agents distributed a pseudo-scientific pamphlet at a conference of non-aligned nations in Zimbabwe. It said that AIDS had been created at Fort Detrick, Maryland, as an instrument of bacteriological warfare. Three months later, the accusation appeared on the front page of the *Sunday Express* in London; then it made its way around the world, eventually washing up in the *Los Angeles Sentinel* and apparently on the hospitable streets of New York as well.)

The recent furor over Louis Farrakhan resonates with some of the same sorry history. It began when Khalid Abdul Muhammad, one of Farrakhan's aides, spoke at predominantly black Kean College in New Jersey. The speech was standard stuff, mostly about "blood-sucking Jews," but with references to the "cracker Pope" and "faggots." Farrakhan followers often say

things like that, although usually they go unnoticed. This time, however, the Anti-Defamation League reprinted the text of the speech in an ad in the *New York Times*. This forced the press to pay attention, but often in equivocal ways.

Time magazine ran a story that said it was improper to ask other black leaders to condemn either Farrakhan or his aide. To do so, *Time* suggested, would be to try to enforce "racial correctness," and this, "it might be argued, is just another kind of bigotry." *Time* said that "black leaders across the country" did not want to be forced into a "ritual of condemnation." It would be better, apparently, if everyone ignored the anti-Semitic ranting.

This was too much for A.M. Rosenthal. The former executive editor of the *New York Times* knows a bad story when he sees one; he also knows about liberal-left cant. He wrote in his op-ed page column:

Professionally, the [*Time*] article is worth noting simply as a warning to other magazines, newspapers and TV news programs: This is what can come out when "news stories" are allowed to cross over into editorialization by choice of words, angling and stacking. Politicalization, distortion, ethical junk. . . . But the story also reflects something else: the sickeningly condescending attitude of so many whites, and some blacks too, toward black intelligence, independence, individualism and honor. Not a word did *Time* print to indicate that it ever crossed its collectivized-journalism mind that black leaders who denounced the speech really might despise it. . . .

Already among some Americans and in the press, there is a kind of mumble-mouthed acceptance of Mr. Farrakhan and his organization. It goes: Well, maybe he is an anti-Semite, and that's not nice, but think about his good work among drug addicts and his speeches

John Corry is The American Spectator's regular Presswatch columnist and author of the new book, My Times: Adventures in the News Trade (Grosset/Putnam's).

about black self-responsibility. You have to admire that, don't you?

Rosenthal was prescient; the mumble-mouthed acceptance had only just begun. Lousy reporting reaffirmed the urge to excuse, patronize, and even romanticize Farrakhan and his bow-tied young soldiers. ABC's "World News Tonight" found that Nation of Islam (NOI) guards—"Their approach is to rule with respect"—had reduced serious crime in Baltimore and Chicago housing projects, and also made the projects "cleaner and quieter." This seemed to imply they should expand their activities to other cities.

The same day, however, that ABC blessed the NOI guards, the *Times* began a three-part page-one series on Farrakhan and his works. The series included some ritual mumble-mouthing—a Cambridge, Massachusetts, expert, for instance, who said the problem was white bigots, not black ones—but was distinguished more by its straight reporting, and it noted something ABC had overlooked: Housing managers in Philadelphia, Pittsburgh and Los Angeles had hired NOI guards, and then decided not to renew their contracts. The guards did not work out. The *Times* also reported that two NOI guards at a nightclub in Inglewood, California, once murdered an unarmed customer.

Meanwhile, as the *Times* was beginning its series, *Time* magazine weighed in again, this time with massive coverage. Managing editor James R. Gaines defended the earlier *Time* piece in a full-page letter to readers; William A. Henry 3d wrote a long cover story on the Nation of Islam (he liked the idea of NOI guards, too); there were also excerpts from an interview correspondent Sylvester Monroe had with Farrakhan. ("Am I really anti-Semitic? Do I really want extermination of the Jewish people? Of course the answer is no," Farrakhan declared.)

The most provocative part of the coverage, though, was found in *Time*'s revived Forum section: three black and three Jewish thinkers commented on Farrakhan and on the relationship between blacks and Jews. This resulted in something of a crossover. In very general terms, two blacks agreed with a Jew, while two Jews agreed with a black. This, of course, was healthy, and much of the commentary was wise, but there were also exquisite samples of

mumble-mouthing. Cornel West, a professor of religion at Princeton, and also a new media favorite, offered insights such as, "We have become even more polarized, owing to our distrust of one another and our flagrant disregard for the transformative possibilities of high-quality public conversation." It was hard to know where, exactly, he stood.

On the other hand, there was no doubt about where Michael Lerner stood. The editor of *Tikkun*, the liberal Jewish bimonthly, said in *Time*'s Forum that he deplored black anti-Semitism, but that he just could not get "worked up" about it. He said this was because the white media and white establishment were hypocritical; Jews persecuted Palestinians; *Commentary* magazine opposed affirmative action; and, most of all, because getting worked up over black anti-Semitism had nothing to do with the real crisis. The real crisis, he said, is our national selfishness. Lerner sounds like a silly man.

Nonetheless, some commentators did get it right, the *Washington Post*'s Richard Cohen for one. In his column he described a rally at Howard University, "federally funded and sometimes called the Harvard of traditional black colleges." A law student named Malik Zulu Shabazz addressed an audience there of about 1,000, at least half of them other students:

"Who caught and killed Nat Turner?"

he shouted to the crowd.

"Jews," most of the audience shouted back.

"Who controls the Federal Reserve?"

"Jews."

"You're not afraid to say it, are you?"

"Jews, Jews."

"Who controls the media and Hollywood?"

"Jews."

And so on. Cohen said it was "an event chillingly evocative of the sort the Nazis used to put on," and he criticized his own paper for burying the original news story about the Howard rally at the bottom of an inside page "with not a mention of Jew-baiting in either the headline or first paragraph." Cohen said the media "apply a double standard when the bigots happen to be black." Imagine, he said, what would have happened if a white university had held a hate night.

Why, yes, just imagine. The outcry would have become part of the national agenda, dominating the evening news broadcasts while leaving prominent columnists almost too shocked for words. Imagination fails only in trying to visualize what punishment would have been meted out to the racist white students. When the *New York Times* finally caught up with the Howard story, however, it reported that neither the Jew-baiting law student nor any of the other anti-Semitic speakers that night would be penalized. "We've never had a speech code," a spokeswoman for Howard said, "and we've never screened speakers for content."

Presumably this is true, although it may also be irrelevant. When the late Lee Atwater once tried to speak at Howard, he touched off a university crisis, and students protested en masse. The media had a high old time with that, but insisted that allowances had to be made. Atwater was a white Republican who had worked for George Bush. There is no need for a speech code at Howard or anyplace else where the rules are so thoroughly understood. □

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Whither Rabin?

by Saul Lewis

In the wake of the Hebron mosque massacre, Israel's prime minister, Yitzhak Rabin, must be a very angry man. Angry at Dr. Baruch Goldstein, and other followers of the late Rabbi Meir Kahane, for bringing shame and disgrace on Israel; angry at Yasir Arafat for abandoning the peace talks and making impossible demands on his government; and angry at himself, above all, for agreeing to shake hands with Arafat on the South Lawn of the White House.

The historic handshake was hailed the world over as a great breakthrough for peace. Everywhere, Arafat and Rabin were praised for burying historic hatreds and building a new Middle East. There was only one thing wrong with this analysis: for Arafat, the handshake was just another maneuver in his ongoing war against Israel. As he made clear in a broadcast to Palestinians on the very day of the handshake, the agreement with Israel was part of the "Phased Plan" adopted by the PLO in 1974: first, establish a foothold in part of "liberated Palestine," then go on to "liberate" the rest of Palestine.

The Israeli government, of course, was aware of this broadcast, but chose to ignore it. And when Arafat failed to live up to his commitments to annul the PLO's charter, which calls for Israel's destruction, or to call for an end to *intifada* violence, all sorts of excuses were offered by Israeli spokesmen: Arafat was weak, he was beset by radicals, let's give him time, he's our only hope, etc.

Yitzhak Rabin went along with this sophistry, but his heart clearly wasn't in it. Finally, he exploded. "I have more faith in [Syrian President] Assad's word than in Arafat's," he told Israeli newsmen. Having been misled time and again by Arafat's soothing assurances, Rabin borrowed a leaf

from the late Menachem Begin's book, and became a great stickler for details. Nothing was to be left to vague "understandings" anymore. Before Rabin withdrew the Israeli army from Gaza and Jericho, the precise nature of Palestinian self-rule would have to be laid out in writing. Arafat would be left with no wiggle-room whatsoever.

Rabin's strategy helped reassure an Israeli public that was growing increasingly disenchanted with the Handshake, but it had one flaw: pinning down the slippery Arafat is a time-consuming process. But with the cessation of all settlement activity, time isn't working in Israel's favor on the West Bank anymore.

Curiously, the Israelis who understood this from the start were the dovish Laborites like foreign minister Shimon Peres and his deputy, Yosi Beilin. In their view, the longer the peace process drags on, the more radicalized everyone becomes: Palestinians, because their self-confidence is growing; Israelis, because their self-confidence is declining. The more time passes, the harder it will be to bridge the gap between an "interim" and a final settlement, and the greater the chance that Likud will come to power and upset the whole applecart. If the Labor Party truly intends to establish Palestinian self-rule, say the doves, then the sooner it does so, the better. In Shakespeare's words, "If it were done. . . then 'twere well it were done quickly."

Into this devilishly complex situation walked Dr. Baruch Goldstein, firing away with his assault rifle. Even before he committed his appalling crime, the mood in West Bank settlements was grim, as Edward Norden pointed out in these pages last month. But in the aftermath of the massacre, a terrible situation has gotten much worse. Not only have relations between Israelis and Palestinians on the West Bank been poisoned, but the

killings appear to have radicalized *Israeli* Arabs as well—the ones who live in Jaffa, Tel Aviv, and the Galilee, enjoy Israeli citizenship, and vote in Israeli elections. That the Hebron massacre sparked widespread riots among *them* raises the awful prospect of civil strife between Jewish and Arab Israelis somewhere down the road.

But what is Rabin to do? Take the doves' advice, obtain some vague assurances from Arafat about demilitarization, and leave the West Bank as quickly as possible? Knowing the worth of Arafat's assurances as he does, Rabin couldn't possibly favor such a course. But neither does his current strategy of protracted negotiations seem sustainable. The longer the negotiations—and the violence—continue, the greater the likelihood that Israelis will get fed up with the whole business and opt for the opposition.

Under these circumstances, Rabin has done what Israelis, alas, often do when they get into trouble: look to the U.S. for help. Rabin has asked Washington to help Israel "accelerate" the peace process. Washington has replied, predictably, by urging Israel to accelerate the pace of its concessions to the PLO. Unfortunately, peace doesn't depend on Bill Clinton and Warren Christopher, but on Yasir Arafat. And after the Hebron massacre Arafat is proving more slippery than ever.

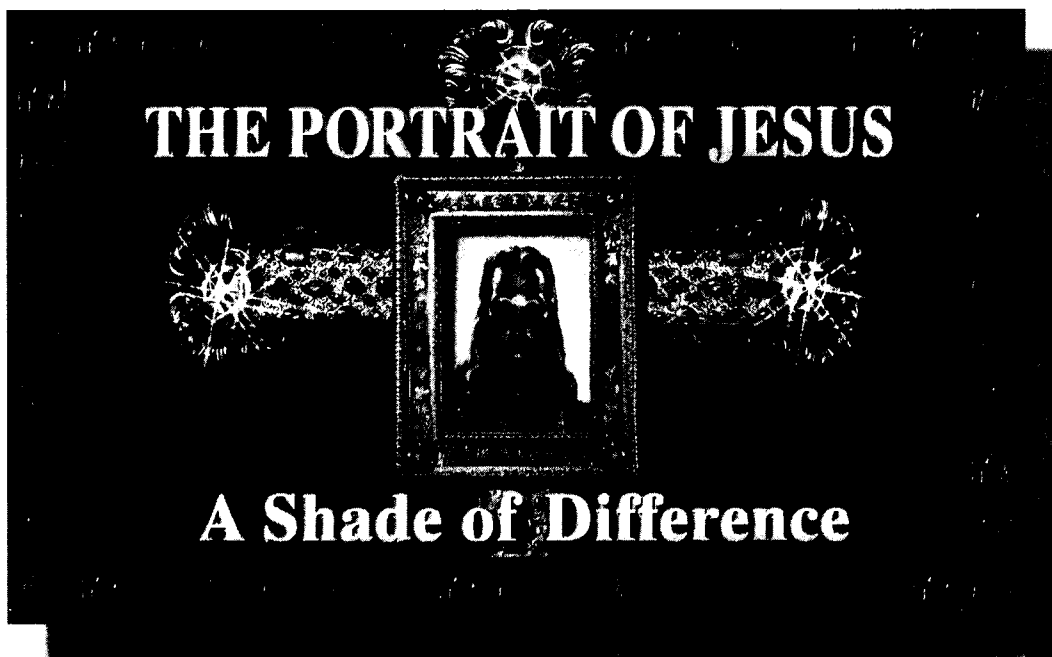
Ironically, Arafat's position has been gravely complicated by the one Israeli group most sympathetic to his demands: the left. In the aftermath of the massacre, seven out of fifteen members of Israel's cabinet came out in favor of dismantling the Jewish presence in Hebron, but Rabin, fearing that this would give Arafat an opening for further demands, refused to go along. Instead, he co-opted one of Israel's religious parties, Shas, into his government by promising that no settlements would be evacuated in the foreseeable future. Thus, if Arafat returns to the nego-

Saul Lewis is the pen name of a long-time Middle East observer.

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tations, he will appear less pro-Palestinian than nearly half the Israeli cabinet—hardly a comfortable position for the aging terrorist. But if Rabin reneges on his pledge to Shas and forcibly removes the Jews from Hebron, he will set off a political firestorm in Israel that could bring down the government.

Slowly but surely, then, Rabin is running out of options. Israeli newspapers describe him as someone who is very uncertain, wavering between the hawks and the doves. But whichever way he turns, he seems trapped. He cannot acknowledge that he deliberately deceived the Israeli public with his campaign pledge never to negotiate with the PLO; he cannot admit that his Handshake was a

mistake, though by now he must surely think so; he cannot simply cut and run from the West Bank, leaving over 100,000 Israelis to the tender mercies of the PLO and Hamas; he cannot hope to contain mounting West Bank violence indefinitely and prevent it from spilling over into Israel proper; he cannot place any trust in Arafat's assurances and guarantees; and without progress on either the Palestinian or Syrian front, he cannot suppose that his government, with its razor-thin parliamentary majority, will remain in power for long. All he can do is play for time, pray for a miracle, and ponder the wisdom of Sir Walter Scott: "Oh, what a tangled web we weave, when first we practice to deceive!" □

BEN STEIN'S DIARY



Tough Love

by Benjamin J. Stein

Monday

I don't like this at all. I'm in law offices in Washington, D.C. I'm talking to some lawyers for the RTC who are supposedly prosecuting a lawsuit against some accountants who didn't give a straight count of the assets of a major Drexelweb S&L. It's a long, narrow room with no windows to the outside world. The men and one woman in the room are obviously hard-working lawyers. But they know next to nothing about the subject. Plus, they're obviously scared to death of the lawyers for the defendants. This is pitiful. How is the RTC ever going to get our money back if these are the kind of people who represent them?

Timidity is a major problem in lawsuits. How I wish I could wave a wand and make all of these people into the kind

of tough guys I usually work with. Oh, well. Chalk up another few hundred million lost to the taxpayers.

After the meeting, I walked about fifteen blocks back to my hotel. Even though it was winter, the day was clear and warm. I walked past by Lafayette Square, looking down at the Bunny Hutch where the president lives. Then I walked past the famed Presbyterian Church where Truman used to worship, past a townhouse that used to be Brookings long ago, past the building on H Street where my father used to be research director of the Committee for Economic Development, and where I used to be an office boy, past the IMF where my old girlfriend Pat now works. She hasn't spoken to me for almost twenty years, and I have to give her credit for constancy.

Then, I walked past George Washington University, where my eternal wife, or perhaps I should say my eternal flame, went to law school.

How well I remember, lo these many years ago, driving along Eye Street and seeing a beautiful girl strolling down the street with her law books, only to realize that it was my sainted wife. God, that must have been almost twenty-four years ago now. Wow. I was in my glorious 1962 Corvette. It was red. I had long hair. I was thin. Wow. It was swell.

Back at my hotel, I took a long nap, and shed some of the weight of the past. Sometimes, when I think of all that's happened, and how it's all past, I know I'm going to die. I feel that way particularly in Washington, where so much of my youth was spent. On the other hand, in those days I didn't have a conscience. Now, conscience grows all over me like a spider's web, locking me in, making me walk the line even when I don't want to.

I was awakened by a phone call from my pal Q., a very smart forensic accountant in Baltimore. Years ago, Q. met a beautiful exotic dancer in a bar New Orleans while waiting to catch a plane. Now, he's about to leave his Japanese wife and four children to move in with her. Never mind that she's about as emotionally mature as a tadpole. He's going to leave everything that really matters in life for her.

"I love her," he said. "She has such a sense of adventure. She's not afraid of anything."

Did I mention that the dancer has the longest legs in the world? Did I mention that Q. is middle-aged and has always had too much responsibility?

Someday soon I'm going to write an article for a men's magazine about why you should not under almost any circumstances leave your wife. Take it from me, it's like shooting the Archduke Franz Ferdinand. It tends to have major consequences not readily foreseeable.

"I'll make this really simple," I said to Q. "You'll regret it if you leave your family."

Q. signed off with no hint at all that he took me seriously. What a piece of work is man. How noble in reason. How infinite in faculty.

Tuesday

I really don't like this. I'm at Dulles Airport, barely alive after leaving Foggy Bottom in a huge snowstorm. Route 66 was slippery and foggy. I was crawling along and still slipping. Oh boy, I thought. To die en route to Dulles. This is not easy.

Benjamin J. Stein is a writer, actor, economist, and lawyer living in Malibu, California.

Now, I'm sitting in business class. We've been out on the runway for—count 'em—three hours. And, it's the third time that the ground crew has de-iced the wings. Truth to tell, they can take all night. I don't want to go down in a fiery crash because they didn't wave their mammoth blow-dryer over the wings enough.

For once in a blue moon, I have a really pleasing neighbor. He's a partner at Price Waterhouse, a big fan of *Ferris Bueller*, and a lively guy. He's been telling me about his job, which sounds very tiring, flying around examining oil rigs. He's also been telling me about the ethics of the accounting business (at firms other than his, of course), and it's not encouraging. "The guys who are writing up new business don't really want to stop and take a close look at whether the client is strictly heads-up," he says. "They get points for new business, not for turning down new business."

"But what if it's going to cost them billions down the road in lawsuits? Don't they pay any attention to that?"

"Frankly, I'm not sure they do," he said.

Now, this is great, because if the accountants are not paying attention to whether or not the client is telling the truth about his financial statements, how is anyone else going to know about it? *Sed quis custodiet ipsos custodiet?*

If it's those people I met in Washington on this trip, heaven help us.

The airplane finally took off, and away we went. We had a tiny coach meal, and then saw an almost unbelievably bad movie about football. My neighbor was soon asleep. I read and listened to Mozart's *Requiem* over and over again. We had terrible headwinds. Our flight took almost seven hours. In that time, the stewardesses came to visit us exactly twice. The rest of the time, they were sitting in the back of the cabin hanging out and gossiping. I thought they were supposed to be offering us drinks and so forth. Silly me.

Thursday

An incredibly busy day. Up at seven to go to a commercial. It's on what's called a "digital patch" to a city in Texas. I read my lines, smiled broadly, and then went to a studio to pitch

a script. It's about Jews and blacks. That's all I'm going to say. Jews and blacks. Check it out, blood. I stopped in the coffee shop on the lot to have a great cheeseburger. Then I rushed out to Pepperdine to teach my Law and Economics class.

I love my students. They have such sweet young faces. Sometimes they ask me really smart questions. Other times, not. But I like seeing them out there in the room, writing furiously, trying to understand the intersections of law and economics. I'm trying to explain to them that it's all indeterminate and impossible to figure out in any scientific way. Nevertheless, they all seem to think that one day it's going to be clear to them.

It's not. Law and Economics is a shell game designed to keep the money right

want my kids to watch it. I think I'm going to throw away my TV."

The first call is from my part-time messenger. The second is from a madam whom I've never met, but who sends me messages and faxes day in and day out. That's right. A madam concerned about dirty jokes on TV. A blue-stockings madam, you got it.

Click, click, click. "Hi. I'm sorry I didn't get back to you sooner. I've been channeling and meditating and praying that I get that job at Hasbro. Toys are my world, and I really know that I'm the best person for the job. I just know it, and I plan to channel and psycho-cyberneticize myself right into that job."

This last from a beautiful woman in my condo who is chronically unemployed, even when she's working.

Click, click, click. "Hey, Ben, I'm sorry I didn't call you back last night, but my tires were slashed again, and the police were all over the place and the stalker left me a note saying he was going to terminate me, and I'm really getting scared. I thought it was this ex-con in my building, but now I think it's probably the body builder I met who's also maybe an ex-con. I'm going to see my psychiatrist now about how to deal with this stalking. He's a stalking victim himself, so he knows all about it."

This last from a woman who's a beautiful, sweet friend, but if she thinks a psychiatrist will help, my heart goes out to her.

Click, click, click. "I'm really getting worried. There's about to be some major law enforcement around the telemarketing I've been doing. It's not that I'm in trouble, but my job's on the line." This from my Russian immigrant friend, Lev Davidovich Bronstein, who now calls himself Whitney Mandeville (not Trotsky).

Click, click, click. "Hi, Benito, it is I, Gartho. I'm responding to your idea of putting neurotic people in boot camps. I have a better idea. Why not put *everyone* in boot camps? The idea of properly incentivizing people with boot camps makes lots of sense."

Gartho is a multi-millionaire psychiatrist who mostly sails his yacht off the coast of Hawaii, the big island, I think.

Click, click, click. A call from L.A. Cellular asking where my payment is. Hmm. It's in the mail. →



where it is now, in the hands of the lawyers. It's not a real subject. It's more like phrenology.

After class I headed for the faculty lounge to take a nap. I called in for my messages.

Click, click, click. "This is Terry. I'm really loving my new job at the topless place. I made four hundred dollars last night, and I had a really good time dancing. Now I can pay my rent. Yeah."

Click, click, click. "Well, did you see all the dirty jokes about women that Jay Leno had last night? And all the sex jokes about men? I sent the head of NBC a letter complaining. I really can't believe what goes out on TV nowadays. It's totally disgraceful, and I wouldn't

Then, a visit to dreamland, and then into my trusty Acura for the schlep back to town. It's not so bad. It's only about two hours on the freeway, bumper to bumper, fully crawling along and getting tortured by sudden stops of trucks in front of me.

A delightful dinner with my angel child, Mr. Perfect. He's lost a front tooth, and wow, does he look cute. "I don't want to go to school anymore. I just want to stay home and watch TV with Nana."

"Fine with me," I said. "We're incredibly rich, and whatever you want to do is fine. It doesn't matter if you'd never have any skills or any good work habits or know anything. You can just play all day and Granddad's trust will cover it all. No problem."

My wife came into the room. "What are you telling him?"

"Just that he's all right the way he is and that he doesn't have to change a thing. I don't want him growing up with toxic shame."

"You sit right down and do your homework," Mommy said.

"I was just kidding," I told Tommy. "Do your homework or it's boot camp."

Then, off to KCOP, L.A.'s Channel 13, for my guest commentary. This time it's about how loud rock music is torturing me and everyone else who's trying to get his head together, man.

This boot camp idea is really growing on me.

Sunday

And now for a little tale of why sometimes life is like a movie . . . and why businessmen are not always SOBs, not even in Hollywood.

Five years ago, maybe more, I met a beautiful young woman, whom I'll call W., at the local CNN studio. I became friends with her and we spent many an afternoon together talking about self-help programs.

I lost touch with her for a while and then got in touch with her again about a year ago. Then a few months ago, she began calling with a series of chilling messages—like the one I mentioned a few paragraphs back. She was being stalked by a maniac who was slashing her tires, breaking the antenna of her car, and generally leaving frightening letters and notes warning her that she was about to be "terminated," as she reported.

This woman, a paradigm of self-discipline in many areas of her life, a maniac athlete along the beach in Santa Monica,

and a devout vegetarian, started to lose her mind. She was scared at first, and by the third time her car tires were slashed, she was very scared. She couldn't concentrate at work, couldn't sleep, and began to live in a state of constant terror and agitation. The police were encouraging, but as always, they were understaffed and overwhelmed.

W. had to leave her apartment not once but twice to escape the stalker, whose notes were becoming steadily more terrifying and specific. Then she had to move to a hotel under an assumed name. Her life began to disintegrate.

Then, something happened that the writers of TV movies might not have anticipated: W. worked as an editor at a very successful TV production company named Witt-Thomas. They make about a half-dozen shows, including "Blossom" and "The John Larroquette Show." One head of the company, Tony Thomas, noticed that W. was in the dumps and distracted. He asked her what the problem was, and she told him.

He did not fire her. He did not yell at her for missing work. Instead, he said, in effect, "Hey, we work in TV. Let us work with the police to set up some video-cam surveillance of the garage where your car is kept at your old apartment. We might get lucky."

From then on, highly trained video people from Witt-Thomas were on the case, along with the security people. W. felt she was part of a team working day and night to catch the stalker.

Today, W. called me, exhausted but triumphant. Last night, she saw the stalker on videotape slashing her tires. Today, the LAPD arrested the stalker, and he's in jail.

There's a lot still to be done, to be sure. W. has to help make a case against the man. He has to be sent to jail for a long time. W. has to learn not to be so friendly to exercise trainers. But she was saved by a businessman and a business. Out of pure compassion and empathy, and at considerable expense, these people reached out and saved W.

Wednesday

Maximum Overdrive. Up at seven this morning to read a funny commercial for Amoco gasoline. Then, a rush through maddening traffic to the set of "Love and War." It's a sitcom about people who work in a bar and are always bickering. The stars

are Joel Murray, Jay Thomas, Annie Potts, and Joanna Gleason. I play a nerdy astronomer. We read our lines around a table and then began to rehearse. All through the day I had to call in to various magazines for whom I am writing pieces. It was frantic. Then at lunch I zoomed across town to do another commercial. Alas, there had been a scheduling con-
cretetemps, and I had nothing to do there.

Back to Studio City to read my lines about the planet Uranus and the various ways it's pronounced, and then back to the space age studio to read the copy, this time on the right schedule.

Then a stop at a Thai restaurant to pick up some (surprise) Thai food, and then to visit little Mr. Perfect. We played for a couple of hours. Then, because he had no school the next day, we went off to Universal to see *Ace Ventura, Pet Detective*. It's crude, but almost unbelievably funny. Truly hysterical.

Then candy on the Universal City Walk, while we watched the Olympics on a huge screen above an immense plaza.

"Daddy, Daddy, Daddy, Daddy," Tommy said in the car as I drove him home.

"Tell me a story," Tommy insisted as I put him in bed.

"Well," I said, "once upon a time there was a big evil man named Bill, and he was president, and he wanted to keep you and me from seeing our doctors."

"Why, Daddy?"

"Well, he was confused," I answered. "He was smart, but not as smart as he thought he was."

"So, what happened?"

"Well, as he was walking across the lawn, a huge eagle came by and went poo-poo on Bill's head," I said.

"Really, Daddy? Really?" Tommy screamed with laughter.

Norman Lear, my old boss, used to say that at Tandem, his wildly successful production company, nothing was certain except death and toilets. Wow. How easy it is to get a laugh with a toilet joke. Still, it was a nice image. And not that different from my role this week as an astronomer pronouncing Uranus in a provocative way.

"No, not really, Tommy," I said. "Bill had to leave and go to jail because of something called Whitewater," I said. But by then, Tommy had fallen asleep.

Thursday

Another glorious day on the set. We're not acting. We're "schmacting" as our director, Bob Berlinger, says. It's like acting only it's for situation comedy.

This is a lively, friendly bunch. The executive producers are Joel Shukovsky and Diane English, who also own "Murphy Brown." They're amazingly friendly and nice, and I want them to adopt me, even though I'm older than they are. The chief writer, Mark Flanagan, went to Yale Drama School while I was at the law school, and we know a number of people in common. The writer of today's show, Steve Nathan, takes it all very seriously and has given me an extra scene, which makes me love him.

I love being on the set.

Friday

Taping day. It's bustling here on the CBS/MTM studio lot in Studio City. Next door to us, they're making an episode of "Hearts Afire" that has Rush Limbaugh as a guest star. He arrived in a huge black limousine, and has been bustling around the set. I haven't seen him, but I'm sure he's doing great work.

We have our extras (or "atmosphere artists" as they like to be called) and we're getting ready for some major-league schmacting. One of the extras keeps staring at me.

"I just want you to know," she says, "that the reason I'm staring at you so hard is that I'm legally blind."

"Good. Keep staring."

"I can tell, even though I'm blind, that you're very handsome."

"Thanks."

We did our fabulous scene, and then our fabulous other scene, and then the show was over. How sad. One of the sets is a bar, and I, your humble servant, was invited to hang around the bar while they passed out incredibly delicious corned beef sandwiches.

I didn't want to leave the set. I waited until the last possible moment, when the workmen were already taking down the planetarium, already stripping the paint from the walls, to leave.

It's magic here on the set, and I hate to go back to the real world of hatemongers and psycho lunatics and audits. I want to be buried on the set.

Come out here and schmact, people. It's bliss. ☐

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Republican Suitors

by Grover G. Norquist

In two years, Republicans will nominate a candidate for the presidency—and the leadership of their party. These are two distinct tasks, and activists are increasingly determined that any Republican presidential contender first prove his bona fides as party leader. If you combine their concerns with Republican National Committee Chairman Haley Barbour's—whose Twelfth Commandment enjoins Republicans not to even *think* about the 1996 presidential race until after mid-term elections—this year's congressional and state races will be a proving ground for the next Republican presidential nominee. It may be too much to ask self-identified candidates for the Republican nomination to rein in their own ambitions for eighteen months, but these leaders can honor the spirit of Barbour's commandment by using the 1994 elections to demonstrate their party-building skills.

More than in previous years, Republican activists are looking for a party leader who's shown competence in running a political organization, be it a state party or a legislative caucus. How many state and local candidates has a presidential hopeful helped elect in the last two years? How many Democrats has he convinced to switch parties? The next Republican nominee will be expected to have satisfactory answers to those questions. It's not enough for him to be good on the issues if he lacks the skills or temperament to strengthen his own team.

Time and again over the last two decades, Republicans have failed to turn their presidential dominance to legislative advantage. Part of the blame lies with Republican presidents who have failed in the role of party leader.

Grover G. Norquist is the president of Americans for Tax Reform.

In 1972, Richard Nixon could have used the millions of dollars in the Committee to Re-elect the President's war chest to add dozens of Republican House members while crushing George McGovern. He could have traveled to save Gordon Allott's Senate seat in Colorado, and fought to win others. Nixon's massive voter turnout effort could have been directed to get to the polls only those who would vote for the entire Republican ticket—and to leave ticket-splitters at home. But Nixon ran the 1972 campaign for himself alone. He paid the price in 1974.

Ronald Reagan was not immune to the same failing. In 1984, he spent scarce time and money on a last-minute trip to



Minnesota to try to win a historic fifty-state victory over the hapless Mondale. Instead, he could have made additional visits to Florida, Illinois, Iowa, or Michigan where the GOP could have won an additional House seat or one more senator.

In 1990, George Bush demanded that Republican congressmen vote for the 1990 budget deal that gutted Gramm-Rudman and raised federal spending and taxes just days before congressmen had to face the voters. Donations to the Republican Party plummeted. Ed Rollins, who ran the National Republican Congressional

Committee, estimates that that decision cost Republicans twenty-six seats in the House. Bush bought his false budget peace with the blood of Republican candidates across the nation.

As party leaders like to put it, the Republican Party and the conservative movement were married to Ronald Reagan and his memory, for a dozen years. Recently widowed, they shouldn't remarry in haste, these leaders say. Date around. Flirt. Force would-be suitors to prove their worthiness. To prevent future debacles of the sort just documented, here is a minimum of what party leaders and activists expect to see this year from some of their presidential hopefuls:

- **Dick Cheney:** Wyoming has 1994 elections for a governor, a Senate replacement for Wallop, and a House seat. The state legislature is up for grabs. Before asking to lead the national party, Cheney should raise the cash and do the work to bring Republican dominance to this small Western state, which by all rights should be solidly Republican.

- **Phil Gramm:** Winning back the Texas governorship from Ann Richards and maintaining the Senate seat of Kay Bailey Hutchison are a bare minimum. With work, the Texas GOP could pick up three House seats and ten seats in the state legislature. Gramm, who runs the National Republican Senatorial Committee, will also be judged by his success in adding to the forty-four Republican members in the Senate.

- **Bob Dole:** The Kansas governorship is open. Dole could help add it to the Republican ranks, as well as pick up the one open House seat. He could add to Republican control—while strengthening conservatives—in the Kansas legislature, which has failed to enact initiative and

referendum and school choice, and has not repealed the tax hikes that brought down the last GOP governor. The *sine qua non* will be Dole's ability to block any government-run health-care system: Clinton, Cooper, or any hybrid thereof. A Bob Dole who had stopped the nationalization of 14 percent of the economy would stand at the front of the line for his party's leadership. But senators note that Dole must come to grips with his own "Darman problem": A key staffer, Sheila Burke, has been maneuvering the Republicans into a compromise on health.

• **Lamar Alexander:** Tennessee offers Lamar Alexander the opportunity to leapfrog from the ranks of possible vice presidents to legitimate presidential contender. Alexander should bring his party control of the governorship and two open Senate seats in 1994. Such a Republican victory would bring from one state fully one-third of the progress needed to recapture the Senate. Alexander could also help win up to three open U.S. House seats in Tennessee.

• **John Engler:** Michigan's governor could win reelection while bringing the open U.S. Senate seat into the GOP column. Two open U.S. House seats could be had by the GOP and one, possibly two incumbent Democrats, could be defeated with hard work and organization. Engler will also seek to solidify GOP control of the state house—and give its Republican members a more conservative cast. Under nominal Republican control, the legislature has failed to back up the governor on key tax-relief issues and on a school-choice program that would have given Michigan the lead in school reform.

• **Tommy Thompson:** Another GOP governor who can build the state while winning his own re-election. The Wisconsin governor could lead the charge to replace a pro-Clinton vote in the U.S. Senate and capture a marginal House seat for the GOP. Legislatively, he could turn his Milwaukee school choice program into a statewide model.

• **Jack Kemp:** The New York Republican Party is crying out for leadership. At stake is the powerful governorship and a possible pick-up of three House seats this fall.

Republican strategist Joe Gaylord has three indicators of his own that ought to appear on the résumé of any Republican candidate for president in 1995: (1) how much money

each has contributed to other candidates; (2) how much money each has raised for other candidates—minus travel expenses, since some GOP bigwigs burn up as much money in limousines, staff time, and chartered planes as they raise campaigning; and (3) the number of fund-raising letters for other candidates each has signed.

In other words, let the best party-builder win. Should the above-named hopefuls fail, the next generation of leaders—Trent Lott, Bill Bennett, Dick Armey, and others—is waiting in the wings.

• • •

In August, the RNC mailed out 800,000 questionnaires to Republican donors, elected officials, and activists. More than 133,000 Republicans responded to the 159-question poll. The results may disappoint Democrats who want Republicans to continue to embrace a watered-down version of their own agenda. According to RNC staffer Leigh Anne Metzger, "The survey shows that the Republican Party is a solidly conservative party." In other words, the RNC poll shows the Reagan coalition alive and well, uniting economic, foreign-policy, and traditional-values conservatives. Some of the key findings:

On *economic issues*, 91 percent of Republicans favor a balanced-budget constitutional amendment. Ninety-three percent support a presidential line item veto, 61 percent backed NAFTA, and 85 percent want to expand IRAs. Republicans continue to support supply-side economics: 83 percent want to "lower income-tax rates to stimulate economic growth," and 92 percent want to cut the capital-gains tax. Ninety-five percent want to reform medical malpractice; 73 percent oppose a national sales tax to pay for health reform.

On *national defense*, 78 percent believe that "the proposed cuts in national defense go too far." Sixty-two percent oppose ending the trade embargo against Castro's Cuba.

Republican unity is largely maintained in the "divisive" *social issues*, even though some in the party leadership had opposed the poll on the grounds that it might highlight divisions. Seventy-one percent support school vouchers, 93 percent oppose teaching homosexuality as an acceptable alternative lifestyle, and 78 percent oppose distributing condoms in schools.

The poll's most surprising revelation is good news for pro-life Republicans. Fifty-eight percent oppose abortion at all times or with the standard exceptions of rape, incest, or life of the mother. (And here the Republican donor and activist base tracks well with a Wirthlin poll that shows Republicans in general with 63 percent opposed to abortion always or with those limited exceptions.) Susan Hirschmann, executive director of Phyllis Schlafly's Eagle Forum, points out that Republican activists are in accord with the general public in opposing abortion in most circumstances. Only 7 percent of Republicans in the RNC poll support all abortions at all times, the position of the Democratic Party's Freedom of Choice Act.

But according to Wirthlin, only 10 percent of *Democrats* support that position. And 47 percent of Democrats hold the majority Republican position—either no abortion at all, or only in the case of rape, incest, or life of the mother.

Who would have thought two Augusts ago in Houston that the party facing the 1994 elections divided on abortion would be the Democrats? □



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Blackmun: Still Growing

by Terry Eastland

Provoked by the judicial activism of the Warren court, Richard Nixon vowed in his 1968 presidential campaign to appoint "strict constructionists" to the Supreme Court—justices who would judge according to the text of the Constitution, not make it up. Nixon got four chances to shape the Supreme Court, doing pretty well on his own terms with his appointment of now-Chief Justice William Rehnquist, okay with the man he installed as chief, Warren Burger, who retired in 1986; and somewhat less than okay with his selection of Lewis Powell, who stepped down in 1987. And then there is the story, surely depressing for Nixon, of his other choice, Harry Blackmun, now 85 and in his twenty-fifth year on the high court.

A mere two days after he was sworn in for a second term, long before the troubles of Watergate would drive him from office, Nixon absorbed the news that the court, in violation of even a loose, much less a strict, construction of the Constitution, had declared abortion a constitutional right. The justice who wrote the opinion was neither William Brennan nor Thurgood Marshall but Nixon's own man, Harry Blackmun. In his early years on the court, interestingly, Blackmun was not, generally speaking, a judicial activist. He often cast votes against positions that stretched, or would have stretched, the Constitution and other law beyond their plain meaning.

For example, in *Furman v. Georgia* (1972), Blackmun filed a dissent from the court's decision that the way in which the death penalty was then imposed ran afoul of the Eighth Amendment's prohibition against

cruel and unusual punishment; every federal and state death penalty statute was thereby nullified. "I yield to no one," he wrote, "in the depth of my distaste, antipathy, and, indeed, abhorrence, for the death penalty." But, distinguishing as any proper non-judicial activist would between a judge's personal views and what the Constitution requires, he went on, "We should not allow our personal preferences as to the wisdom of legislative and congressional action, or our distaste for such action, to guide our judicial decision in cases such as these."

By the early 1980s, however, Blackmun would make this distinction less frequently as a different one came to preoccupy him—that between what he called "the real world" and the court's "ivory tower." Regardless of what the relevant law in a given case

might say, Blackmun more and more often got down into that real world to do what one of his politically liberal admirers called "intuitive justice." A 1983 note in the *Harvard Law Review* hailed (and no doubt reinforced) "The Changing Social Vision of Justice Blackmun." "This note," the unidentified author observed, "does not yield firm predictors of how Justice Blackmun will respond in a given case." But, having correctly identified the justice's belief in "a dynamic, evolutionary view of the judiciary," the author—wherever he or she might be today—surely was not surprised this February when Blackmun evolved in a predictable way, as he let the world know that, notwithstanding what he said twenty-two years ago in *Furman*, the death penalty is unconstitutional.

"From this day forward," he wrote, melodramatically, "I no longer shall tinker with the machinery of death. . . . I feel morally and intellectually obligated simply to concede that the death penalty experiment has failed." Referring to the thirty-seven state death-penalty statutes enacted since *Furman* was decided, he said, "No combination of procedural rules or substantive regulations ever can save the death penalty from its inherent constitutional deficiencies."

With his highly personal and emotional 7,000-word dissent from the court's refusal to hear the appeal of a Texas inmate scheduled for execution—*Callins v. Collins* is the case—Blackmun made sure that his view of the death penalty, shared by no current member of the court, would be well publicized. It is rare for members of the court to comment on decisions to take cases for review, and it is even



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rarer for a member to write an opinion in this circumstance as long as Blackmun's. Back in the fall Blackmun had previewed the position he would take in *Callins* when on "Nightline," an unusual place for any sitting judge to appear, he said he was no longer "certain at all that the death penalty can be constitutionally imposed."

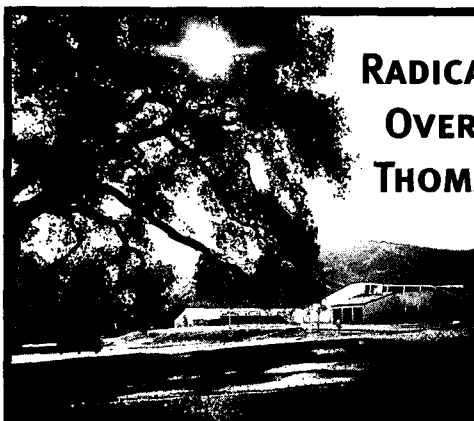
Blackmun's renunciation of the death penalty, answered by Justice Antonin Scalia in four tart paragraphs, won front-page coverage and editorial praise. No doubt it is the subject of law review articles now in progress on the completed social vision of Justice Blackmun. Some law review, somewhere, however, surely might wish to assign a piece on how this opinion completes Blackmun's rejection of the Constitution and the rule of law—quite the opposite of what his sponsor, Richard Nixon, so many years ago intended.

The Constitution is clear in its acceptance of capital punishment. As Justice Scalia points out, the Fifth Amendment provides that "no person shall be held to answer for a capital . . . crime, unless on a presentment or indictment of a Grand Jury, nor be deprived of life . . . without due process of law." Justices Brennan and Marshall used the Eighth Amendment's prohibition against "cruel and unusual punishment" to trump what the Fifth Amendment provides; for them, the death penalty was in all circumstances cruel and unusual punishment. The Fifth and Eighth Amendments have contemporaneous origins, in the late 1780s and early 1790s—which is to say that the polity that ratified the Fifth also ratified the Eighth. To deny the Fifth's embrace of the death penalty, Brennan and Marshall could not invoke the polity we have today, given polls consistently showing majority support (now above 75 percent) for capital punishment, not to mention the many state and federal death-penalty laws. What they had to do was, in effect, read into the Eighth their own moral views, which they did at least 1,441 times in their stock joint dissent.

Blackmun does not go the Brennan-Marshall route in his *Callins* dissent, although it is possible that privately he has taken it. In a footnote, Blackmun notes that as a feder-

al appellate judge he voted (in 1962, 1967, 1968, and 1970) to enforce the death penalty even though he then stated publicly his doubts as to "its moral, social and constitutional legitimacy." Blackmun does not explain in *Callins* why during the sixties he thought the death penalty might not be constitutional. He could not have thought it unconstitutional for the reason he now advances, because that reason is tied to cases decided after *Furman*.

Specifically, Blackmun finds incompatible two lines of reasoning found in the capital punishment cases the court has decided since *Furman*. On the one hand, those cases require that a jury's discretion to impose the death penalty must be closely confined in order to eliminate arbitrariness and prejudice in its administration. The idea here is to make sure that the death penalty is meted out for the same kind of heinous crimes. On the other hand, those cases require



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that a jury have unlimited discretion to consider any evidence a death penalty defendant might wish to offer in his own behalf. This requirement means that a jury might undo what under a constitutional death-penalty statute it otherwise properly would do.

Blackmun's description of the incompatible lines of jurisprudence since *Furman* is accurate, although he fails to give credit where credit is due: his antagonist in *Callins*, Justice Scalia, pointed out the conflicting case law four years ago, in *Walton v. Arizona*. The question is what to do about it, and Blackmun and Scalia offer quite different answers. Blackmun argues in *Callins* that the court should "admit the futility of the efforts to harmonize" the two "irreconcilable constitutional commands" and accept "the fact that the death penalty cannot be administered in accord with our Constitution."

Scalia admits this futility, too, but unlike Blackmun he asks whether the commands are in fact constitutional. For Scalia, something must be wrong with a conclusion (the death penalty is unconstitutional) so plainly at odds with what the text of the Constitution clearly provides. Where Blackmun defers to the case law in order to condemn the Constitution, Scalia defers to the Constitution, judging the case law by it. He would enter the line of cases requiring unlimited jury discretion.

One would think that in any contest between the Constitution and something else, a judge would side with the Constitution. Unfortunately, it does not seem to occur to Blackmun that the Constitution is "the supreme law of the land." The case law about the Constitution is for him "the supreme law." That, of course, is the charitable interpretation of his opinion. Larded with references to himself—thirty *Is*, seven *mys*, and two *mes*, it reads like the effluent of a man who can't stand the death penalty and is using the contradictions within the case law only as a pretext for renouncing it.

Blackmun will probably retire this summer or the next. Odd as it may seem, the first question that should be asked at his successor's confirmation hearing is whether the Constitution should have any role in deciding cases brought under it. □

EMINENTOES



Adam's Curse

by Radek Sikorski

Dwór Chobielin, Poland

Adam Michnik used to be my hero. I first read his name in *Opinia*, a samizdat newsletter my mother brought home from the office sometime in the late 1970s. After that, I began to hear his name on Radio Free Europe again and again, through the static caused by jamming. The underground press printed his books and leaflets, which had heroic names like *Letters from Prison* or *History of Honor in Poland*. In those days, you could hardly pick up a Communist newspaper without reading a slur about either Adam Michnik or his friend Jacek Kuron. The Communists had him locked up. Jerzy Urban, the odious spokesman for the martial law regime, routinely denounced him as a proxy of Western imperialism. The more the Communists abused him, the more I liked him.

The outside world agreed. The *New Republic* called him "Poland's most noble and intellectually scrupulous voice." Czesław Miłosz said that Michnik represented "the best tradition of the Polish intelligentsia, that of liberalism and tolerance," and compared him to Gandhi. Only the regime's stooges thought otherwise: in those days, he was the most eloquent voice of free Poland.

He is still popular in the West. You can hardly read a story from Eastern Europe in the *New York Times* without an authoritative quote from Michnik. Many Poles, however, have watched the political transformation of Adam Michnik with growing bewilderment. First, he defended the special pensions

granted to the nomenklatura by the old regime, and opposed the return of property seized by the Communist party. Then he praised the very man who had kept him in jail—General Kiszczak, who used the months during Poland's transition to democracy to destroy thousands of inconvenient documents. Michnik appeared on a Paris talk show with Gen. Wojciech Jaruzelski, Poland's martial law dictator, to help promote the general's memoirs. He even befriended Jerzy Urban, who now runs a semi-pornographic scandal sheet; in 1991, Polish television showed Michnik going off with Urban to a birthday party for another prominent Communist.

Michnik still preaches high ideals—tolerance, fairness, forgiveness—but in a new context. He now uses the idiom of liberalism to browbeat not Communists but anti-Communists. In Poland people say that Michnik *zionie tolerancja*, roughly, "reeks of tolerance." Most Poles, for instance, are naturally proud of the fact that no show trials such as that inflicted on the Ceausescus in 1989 tarnished the rebirth of their democracy, but Michnik opposes *any* de-Communization, even on the largely symbolic Czech model, to say nothing of the systematic pruning carried out in East Germany. Those who argue that justice should be done have suffered the full force of his holy rage. They have been accused not only of intolerance but also of the "politics of hatred," of "troglodyte" and even "zoological" anti-Communism. Michnik calls his own position "anti-Communism with a human face."

Not that he is inconsistent. Michnik has said that de-Communization would be like denazification in Germany and *épuration* in France—"expiation of col-

Radek Sikorski's book about Poland, Full Circle, will be published next year by Simon & Schuster.

laboration. But that way also meant revenge, the settling of accounts, retribution." If denazification was the same as revenge, then no wonder Michnik interprets every cry for justice as bloodthirsty extremism. But more frequently, Michnik compares Poland to Spain after Franco, a country where it made sense to re-admit former adversaries into the mainstream once they had given up power.

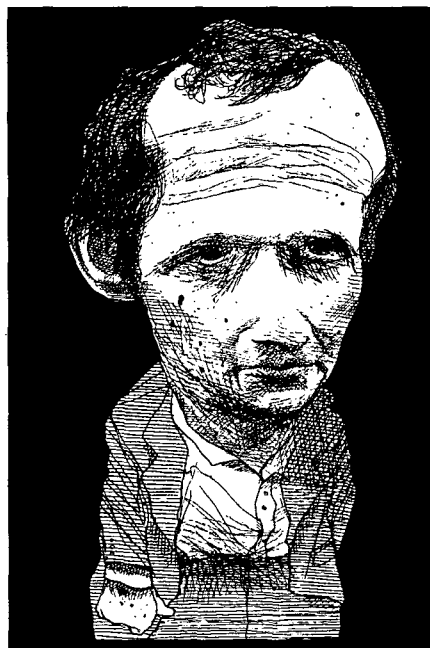
Yet, while Franco may have been a dictator, with the blood of thousands on his hands, his Spain was a sovereign nation. Communist Poland, on the other hand, was created by Stalin with a band of Soviet agents and had little freedom of action—indeed, that is Jaruzelski's alibi for introducing martial law, and Michnik's for exonerating him. In effect, the argument goes, we should forgive the Communists because they were Moscow's puppets.

If Michnik's new friendships and politics were merely the intellectual affectations of one deluded man, they could be shrugged off like, say, Sartre's Stalinism. But Michnik is the editor of *Gazeta Wyborcza*, Poland's largest daily. Together, the editor and his newspaper have helped to whitewash the past, making former Communists electable for the first time.

Gazeta Wyborcza is described in sympathetic profiles simply as "Poland's largest independent daily," but its origins are a little more complicated. It was founded during the dying months of Communism under an agreement between the government and representatives of the democratic opposition. Communist authorities granted the newspaper printing capacity, newsprint, and office space, at a time when all of these commodities were impossible for any other private newspaper to obtain. For months, *Gazeta* survived on the cheap credits available only to state companies. For a year, it was the only non-Communist newspaper in Poland and its circulation skyrocketed. Other dissidents who applied to start newspapers on similar terms were turned down. Formally, it was a limited company with three private shareholders, but that was regarded as a minor detail at the time. The front page carried the Solidarity logo and everybody assumed it would be Solidarity's newspaper. Adam Michnik was appointed editor by Solidarity leader Lech Walesa. *Gazeta* proclaimed on the front page of its first issue that it would "represent the views

and opinions of the entire free society, various opposition strands."

Mysteriously, *Gazeta* is now owned not by a nominal company, nor by Solidarity, but by its senior editors, including Michnik. Each one of them now possesses a package of shares, possibly worth over a million dollars, which he would have to sell for a nominal sum were he to resign or be sacked. One suspects this provides a strong disincentive to disagree with the editor's opinions. Junior staff are disciplined in other ways. At least two journalists resigned recently when they and other employees were asked to sign an agreement never to disagree with *Gazeta*'s editorial policy in public. The paper no longer carries the Solidarity logo: appalled by its political bias, the union decided to strip *Gazeta* of its historic sign. Michnik's



reaction: "I pity them. Impoverishment of the mind and spirit will always surface."

Gazeta has become the mouthpiece for one faction of the old dissident movement: the center-left, now organized into a political party known as the Democratic Union. This is the wing of the dissident movement that descends, literally, from People's Poland: many of its top leaders are either children of Communist Poland's establishment, or disgruntled former members of that establishment themselves. Naturally, many of these people were very brave after they broke with Communism. But since the system's collapse, in various recent controversies, Michnik and *Gazeta* have taken positions that seem directly contrary to the old dissident ethos.

Take the Kuklinski affair, which flared up after a *Washington Post* article revealed that Col. Ryszard Kuklinski, a member of the Polish General Staff in the 1970s and early 1980s, had dispatched everything that passed across his desk to the CIA, including plans for the imposition of martial law. To former Communists Kuklinski is a traitor, who broke his pledge of loyalty to Poland and her steadfast ally, the Soviet Union. For exactly the same reasons, Colonel Kuklinski is a hero to others: he is, after all, a man who daily risked his life to harm Soviet power, and succeeded brilliantly. Michnik's paper took a robust line on Kuklinski. "What a hard-working spy!" *Gazeta*'s headlines sneered. The first person it asked to comment on the affair was Jaruzelski, and it followed Jaruzelski's line throughout. In Michnik's reckoning, a "traitor" like Kuklinski deserves harsher treatment than the tyrant he "betrayed." Partly thanks to *Gazeta*'s stand, Gen. Jaruzelski today postures as the father of the nation while Col. Kuklinski remains an exile in the U.S. with a life sentence to his name.

When Waldemar Lysiak's *Najlepszy*, a book that criticized Michnik, made it onto the Polish best-seller list, *Gazeta* mysteriously failed to publish the list that week. In the spring of 1990, Michnik suppressed a major article by a *Gazeta* staff writer (who later resigned) that advocated disbanding the Communist-dominated parliament and called for free elections—Michnik has since argued that free elections could not have been proclaimed at that time because nobody advocated them. *Gazeta* has even invented news stories from scratch—there have been faked Ukrainian kidnappings, fictional purges of the Polish army, even improper defense ministry arms deals with Iran.

Only during a recent election campaign, when Poland's lax libel laws were temporarily tightened, could *Gazeta*'s bias be exposed. Michnik was ordered by the courts to apologize to a former interior minister—a former dissident whom he now dislikes—after *Gazeta* attributed to him compromising remarks the man never uttered. While proclaiming a high-minded devotion to the ideals of democracy and free speech, *Gazeta*'s bitchy hounding of selected politicians contributes to the atmosphere of spite and paranoia that reigns in Polish politics. Only the former Communists are treated with tolerance and compassion. In fact, this tone has begun to

backfire: in recent months the Polish public has become skeptical of *Gazeta's* strident tone and its circulation has been dropping.

I myself have savored Michnik's duplicity first-hand. I was a member of a government that tried to pension off the former U.B. secret-service informants who still held key government positions. Michnik protested that these "witch hunts" would lead to "civil war." (He also applied a double standard: as a member of an ad hoc "historical commission" he has looked into the U.B. files himself. Interestingly, Michnik announced afterward that many of his colleagues from the underground were indeed informers.)

My brief, as deputy minister of defense, was to bring the army we inherited from the Warsaw Pact closer to compatibility with NATO. The Democratic Union, and *Gazeta* with it, have since adopted the policy we launched, but at the time it was still anathema. For my labors, the paper hinted darkly—without offering any evidence—that I was probably a British spy. I wrote to Poland's most noble and intellectually scrupulous voice, expressing my surprise at such tactics. I expected a fair-minded reply and an apology. Instead, Michnik wrote back saying that I should declare publicly my innocence. This was classic Michnikism: Communists and their informers are innocent until proven guilty—and Michnik will do his utmost to prevent tons of archives that would settle the matter from coming to light. Their opponents, on the other hand, are guilty until they prove their innocence—even if there is no evidence of wrongdoing.

Why is Adam Michnik today more sympathetic to his former totalitarian enemies than to his erstwhile anti-totalitarian allies? Why will he give the benefit of the doubt to Gen. Jaruzelski but not to his former friends?

Some have offered a personalized explanation: Michnik's father was a prominent pre-war Communist and collaborated with the Soviets during the war; his mother wrote Communist history books; his half-brother was a Stalinist judge who sentenced Polish patriots to death in the 1950s. "A zealous Marxist in his early youth," according to Milosz, Michnik went to school and university with the privileged children of the Communist elite. Perhaps Michnik, like other prominent members of the

Democratic Union, cannot bring himself to condemn his youth, his family, and his friends.

But could it be that Michnik's reputation for anti-Communism was founded on a misperception in the first place? That he never opposed the system itself, but rather its failures? "People in Poland were afraid of Communists," he said in an interview with Jaruzelski, which the general appended to his memoirs. "I was not afraid because I considered it my system. And because it was mine, I had nothing to fear. . . . And it did not occur to me that there are people in Poland who thought much worse of this government, but did not speak up, because they were simply afraid." In fact, most Polish dissidents regarded Polish Communism not as "our" system but as "their" system—the Soviet system.

Michnik has proved repeatedly wrong in his most important political analyses. He said that "Lech Walesa will not be president of democratic Poland" and that Walesa's thinking reminded him of *ein Volk, ein Reich, ein Führer*. In fact, Walesa's presidential record is very disappointing, but he is hardly a tyrant. Michnik said that the greatest threat to Poland's democracy would be "a combination of chauvinism, xenophobia, populism, and authoritarianism." In fact, the threat has come from the left, and it endangers sane economic policy rather than democracy itself.

Michnik has painted Communists not as villains possibly deserving forgiveness, but as victims: of witch hunts, prejudice and discrimination. In fact, Communists have thrived in free Poland. Former Stalinist prosecutors live in luxury Warsaw flats and draw special pensions granted by the old regime. Former members of the Communist elite have amassed enormous wealth trading their connections for money. Not a single prominent Communist has so much as been touched in revenge. You are certainly much more likely to bump into a former Communist functionary at one of Warsaw's flash nightclubs than at the welfare office.

Yet, paradoxically, many of those who do queue for their welfare checks have been tempted to vote for post-Communist parties, who promised a "third way"—a gentler, kinder pace of reform, looser monetary policy and generous handouts. All those who have lost by the economic reforms thought back nostalgically to the

good old days when rents were low, unemployment unknown, and work stress inconceivable. Communists skillfully played up the illusion that it might be possible to have capitalism's full shelves with socialism's work ethic. The one thing that might have prevented some of the losers in the transition from trusting the left would have been the memory of forty-five years of Communist oppression and lies. Michnik helped them to forget.

Anbody can get it wrong from time to time, but Michnik has puffed himself up into a moralist and a prophet. His political concerns and language are still stuck in the era of resistance against totalitarianism. No one disputes that Michnik played a heroic role in that resistance—the problem, perhaps, is that it is a role he is too vain to give up. Michnik carries on as if nothing happened. He hectors and denounces, hysterical, self-centered, humorless.

It still goes down well in Western literary circles, where Michnik is more in demand than ever. Many liberals, after all, want to forget that they had a soft spot for the Soviet Union. Wheeling out someone like Michnik—who shares those prejudices but is actually a connoisseur of Communist jails—gives them perfect cover. But today's ordinary Poles are not like that. They are citizens of a democracy, and their concerns—jobs, mortgages, law and order, taxes, justice (including for Communist criminals)—are beneath Michnik. And the more alienated he becomes from the lives of ordinary Poles, the greater his contempt for them.

In this alienation and contempt may lie one final reason Michnik and his admirers in the West have made common cause: fear of being marginalized. The collapse of Communism means a decline in the social status of intellectuals. In a market economy it is bankers, ad executives, and management consultants who are masters of the universe, not essay writers. Like kremlinologists, arms control experts, and military officers in the wake of the Cold War, Michnik and his fellow travelers in the West are too old to change careers. Having failed to live up to the intellectual challenges of the new era, they justify themselves by inventing or exaggerating new threats. Michnik himself is already halfway down a well-trodden path of declining idols. As Emerson put it, "Every hero becomes a bore at last." □



Same Old, Same Old

by James Bowman

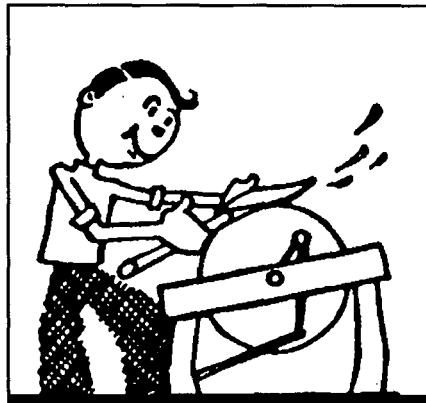
Don't they ever get tired, I asked myself halfway through John Duigan's *Sirens*, of telling this story? One definition of the word "myth" is a story that people don't get tired of telling—or hearing. And *Sirens* recycles the greatest, most potent myth of the twentieth century, which is the story of the "repressed" or "inhibited" person who makes a delighted, liberating self-discovery as soon as he—or, more usually, she—gets rid of her repressions and drops her inhibitions along with her drawers. But for those of us who remain skeptics about this myth, there may be reason to take heart from the perfunctoriness of Duigan's retelling of it.

For, let's face it, *Women in Love* this movie isn't. On the contrary, it is an exercise in titillation that takes the prototypical twentieth-century myth as a mere pretext, to lend itself the completely false appearance of seriousness. In fact, it is apparent that even Duigan doesn't really believe in this story anymore, not as his hero, Norman Lindsay (Sam Neill), believes in it. Lindsay also believes in Atlantis and reincarnation and socialism and other fantastical superstitions that were the natural concomitants of sexual liberation in the 1930s, but the only one of his beliefs that Duigan enthusiastically shares is his belief in the admittedly abundant charms of Elle McPherson, Tara Fitzgerald, Kate Fischer, and Portia de Rossi, whose naked bodies Lindsay represents in a series of leering, kitschy paintings.

The point of the movie, as so often these days, seems to be the photography, the acting, and the costuming, and the loving re-creation of another time and place. Hugh Grant and Tara Fitzgerald play the

inhibition-ridden bourgeois couple (a vicar and his wife, forsooth!) who must maneuver through images of naked women and burgeoning nature only to arrive at what looks like a compromise between old-fashioned reticence and modesty and the great wave of boldness, immodesty, and self-exposure that the likes of Lindsay rode into the twentieth century. But now that that wave has broken and left the Lindsays of the world looking rather bedraggled on the sand, that seems a merely piffling conclusion. We might as well have reticence back again. And modesty. And, by Jove, perhaps we might if the myth is as dead as this movie makes it appear!

In Hollywood, the great myth of the century usually gets reduced to something a lot simpler, something that can be summed up in the Rabelaisian motto, Do as thou wilt. Grab for the Gusto.



Follow Your Bliss. Two months ago, in disgust with the Hollywood gospel of self-fulfillment as preached yet again in *Grumpy Old Men*, I cried out in these pages: "Oh for a film that would hymn the delights of duty!" And pat here it comes—here two of them come, in fact: *What's Eating Gilbert Grape?* and *Angie*. The former is a lot better than the latter, but some credit should be given to

Angie, by Martha Coolidge, for at least looking seriously at issues of moral responsibility and critically at the creed of self-fulfillment.

Angie (Geena Davis) is an Italian working-class girl from Brooklyn who is working in Manhattan for a computer magazine—seemingly on the lower rungs of the ladder of social mobility, but nevertheless on her way (slowly) upward. She gets pregnant by Vinnie (James Gandolfini), a plumber and very Bensonhurst type who has been her boyfriend since the ninth grade. Vinnie is happy about the pregnancy, and they make plans to marry. But Angie is pushing 30, and, still living in the old neighborhood near her father and stepmother, she has a hankering for something else, something more than her prospective life with Vinnie.

For one thing, she has before her eyes as a kind of marital memento mori the marriage of her best friend, Tina (Aida Turturro), and her husband, Jerry, an unemployed lout who verbally abuses and belittles his wife in public. When Vinnie asks Angie to marry him, she says, "Promise me we're not going to turn out like Tina and Jerry. Promise me that we're going to be normal." What is interesting and well observed here is that, to Angie (and to many another besides), "normal" doesn't mean "usual" or "average" or "commonplace" but something like their opposite. She means that she wants her marriage to be unlike those that she actually knows.

Her ideas of normality and of the world outside her own neighborhood are based on a kind of private romance that she is only half aware of herself. Part of this consists of an unfulfilled interest in art, which leads her into an affair with a worldly-wise (and married) Irishman (Stephen Rea), whom she meets in the Metropolitan Museum. But it is her memory of her mother, who left the family

James Bowman, The American Spectator's movie critic, is the American editor of the Times Literary Supplement.

when she was a child, which becomes the key to understanding that private romance. This Angie realizes most unexpectedly. The baby is born with a club arm and related birth defects. More seriously, it does not want to suckle. Angie is convinced that it does not like her. In a moment of panic she leaves the baby with her stepmother and runs off to Texas to find her real mother.

But in her mother she finds, instead of the romantic figure who used to do crazy things like dancing in the snow, a genuinely crazy person: a schizophrenic. Sitting in complete silence in the back room of a sister's house, she is a sad, bedraggled remnant of humanity, trapped inside her own head as only the mad can be, and radiating malevolence to all the world outside. This is the moment of Angie's epiphany, as she looks into those dead eyes and says: "I always thought you left us for something better, and I was going to do the same." Instead, she goes back to the baby, who is now desperately ill, nurses him back to health, and resolves in the final frames, to the accompaniment of a great many uplifting thoughts, to reject the romantic "normality" of fantasy in favor of the real normality of motherhood.

It is nice to hear such a relatively grown-up message from the Hollywood message-machine for a change, but it is the kind of thing that fifty or a hundred years ago would have seemed so ordinary—so normal, in fact—that it could hardly have served as the theme for anything more artistically elevated than a women's magazine.

The Movie of the Month, *What's Eating Gilbert Grape?*, is a bit more sophisticated. It is a strange, quirky film by that strange, quirky director, Lasse Hallström, whose delightful movie, *My Life as a Dog*, got him a ticket to Hollywood from his native Sweden a few years back. My view is that anyone lucky enough to be making movies out of Hollywood should jolly well stay out of Hollywood, but Hallström's compromise has produced something that, if not quite of the first rank, bears comparison with any of the European films he could have been making instead.

The story is of Gilbert (Johnny Depp), aged about 20, who lives with his mother, two sisters, and brother in a little town called Endora, Iowa. The town is grim, tacky, and dying, a place "like dancing to

no music." Gilbert works in the grocery store in the center of the old town as a bag and delivery and stock boy—a general dogsbody. But everybody shops at Food Land, a big new supermarket outside of town, and the store and the downtown are going rapidly down hill. To make matters worse, Gilbert's mother (Darlene Cates, discovered on the Sally Jessy Raphael show) is enormously fat—500 pounds or more—and sits in front of the TV all day. His father hanged himself in 1978 in the basement of the house he had, rather badly, built and in which the rest of the family still lives.

Gilbert has a younger brother, about to turn 18, called Arnie, who is an imbecile and has to be watched at every moment lest he put himself in mortal peril. Leonardo DiCaprio, who did a fine job as the hero of *This Boy's Life*, turns in a stunning performance as Arnie, fully worthy of the Academy Award for which it was nominated. He never steps out of character as the retarded boy, yet at the same time he generates an enormous charm that makes the love he inspires in Gilbert utterly believable. Arnie's favorite sport is to climb the town's water tower and thus cause the police to be called. The police naturally do not appreciate this and keep threatening to arrest the boy. Gilbert keeps promising that it won't happen again.

'But in Endora everything happens again, seemingly endlessly. People do things they regret doing, but they go on doing them anyway. It's very true to life. Gilbert is having an affair with Betty Carver (Mary Steenburgen), the wife of the local insurance agent, who is bored to distraction with her husband and her children and her life. He appears to take no joy in the relationship, and she is too neurotic to do so, yet they cling to each other with a kind of desperation. At one point when Gilbert disappoints her she says to him: "I could have had any guy, but I chose you." He asks: "Why did you?" and she has to think a moment before answering: "Because I knew that you would always be here; that you would never leave." And that's the trouble. Gilbert knows he has to stay because of his mother and because of Arnie and because, maybe, he doesn't know anywhere else to go.

Into his life comes Becky (Juliette Lewis) and her grandmother, an Airstream caravaneer who is passing through the town when her truck breaks down. Gilbert is rather in awe of this self-proclaimed

"worldly kind of girl" who has been to more places than he even knew existed. When he compliments her on the way she looks, she replies: "I'm not into that, the whole external beauty thing. It's what you do that really matters." Gilbert is dumbstruck. On another occasion they are watching the sunset together, and she says to him: "I love the sky; it's so limitless." He replies: "It is big," and she tries to explain to him why you need a bigger word than big for the bigness of the sky.

He says, in shame at his mother's fatness, that she is "attached" to the house and then, correcting himself, says, more like "wedged in" to it. But he is as much wedged in as she is, which is why it becomes a great liberation for him, after she dies, to burn the house down with her body in it, in order to spare her the final humiliation of being removed with a crane. Yet even after her death he stays. Arnie still needs looking after, and Gilbert is still the only one who can do the job. But there is a new hope associated with the return of the Airstream caravaneers and Becky and her grandmother the next year. Gilbert now shares Arnie's delighted expectation of the procession of the silver sausages with which the film begins.

Once, in discussing his father, Gilbert says: "He didn't give anything. He was just sort of there; it was as if he was already dead." You can see that kind of lumpish passivity in him too, but somehow harsh necessity has filled up the moral vacancy with a kind of solidity that catches you by surprise. Gilbert seems such a nonentity only until you get to know him, when in fact he is enormously "there." And he manages to make duty look more romantic than self-indulgence.

Other recommended films this month are *Where the Rivers Flow North* by Jay Cravin, if you're lucky enough to find a place where it is playing; *Thirty-two Short Films About Glenn Gould* by François Girard is a fascinating account of the life of the late steel-fingered Canadian pianist and eccentric; *China Moon* by John Bailey is a rare contemporary example of an old-fashioned, film noir-style thriller that is played straight; *Flight of the Innocent* is a visually stunning first feature from the Italian director Carlo Carlei; and *The Ref* by Ted Demme is a hilarious look at modern marriage and the therapeutic culture. □

Frederick Douglass was born into slavery on a Maryland plantation in or about 1818 (slaves' birthdays were rarely recorded) and died full of honors and achievements in 1895. He never knew his (probably) white father, and was separated during infancy from his black mother. In 1838 he escaped from slavery and eventually became a leading abolitionist. A brilliant orator and a powerful stylist, Douglass was one of nineteenth-century America's master-spirits. Now, the Library of America has brought together in a single volume his three autobiographies—*Narrative of the Life of Frederick Douglass, an American Slave* (1845); *My Bondage and My Freedom* (1855); and *Life and Times of Frederick Douglass* (1893).

Douglass's first venture in autobiography, his *Narrative*, came after he had already achieved considerable stature as an abolitionist spokesman, and was prompted by what many saw as a contradiction in his central argument. As an orator, Douglass mentioned, but never dwelt on, the "whippings, scourgings, brandings and chainings," inflicted on slaves by their masters. "These physical cruelties," he argued, "are as a few grains of sand on the sea shore . . . compared to the stupendous wrongs which slavery inflicts on the mental, moral and religious nature of its hapless victims." Especially galling to Douglass were slaveholders' efforts to keep their human chattel in a state of ignorance. "Education being among the most menacing influences [to slavery]," he wrote, "it is the most cautiously guarded against."

But if slavery was a giant conspiracy designed to "shut out the light of education" from slaves' minds, how, critics asked, did Douglass—only recently a slave himself—acquire his broad education and astonishing fluency? "People doubted if

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FREDERICK DOUGLASS: AUTOBIOGRAPHIES

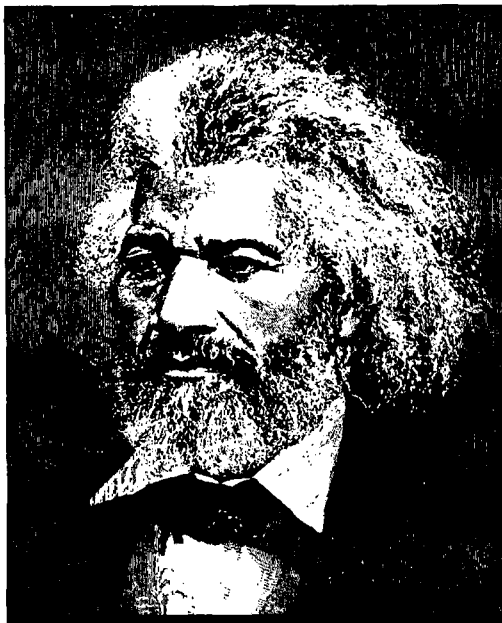
Edited by Henry Louis Gates, Jr.

Library of America / 1,126 pages / \$35

reviewed by JOSEPH SHATTAN

I had ever been a slave," Douglass wrote. It was in order "to dispel all doubt by such a revelation of facts as could not be made by any other than a genuine fugitive" that he undertook to write his autobiography.

This, then, is what his *Narrative* seeks to explain—how a young slave boy acquired a passion for knowledge, and how he succeeded in educating himself despite tremendous obstacles and opposition. The crucial scene takes place when Douglass is about eight years old, and has left the plantation to live with a white family in Baltimore. His new mistress, "a woman of the kindest heart and finest feelings," gladly begins teaching the young slave how to read, but her husband quickly puts an end to her lessons. "A nigger should know nothing but to obey his master," Douglass quotes him



as saying. "Learning would spoil the best nigger in the world." These words had a lasting impact on Douglass:

From that moment, I understood the pathway from slavery to freedom. . . . What he most dreaded, that I most desired. What he most loved, that I most hated. That which to him was a great evil, to be carefully shunned, was to me a great good, to be diligently sought; and the argument

which he so warmly urged against my learning to read, only served to inspire me with a desire and determination to learn.

In his quest for an education, Douglass enlisted the help of local white children. He always carried bread with him—"for I was much better off in this regard than many of the poor white children of our neighborhood"—which he would exchange for reading lessons. In this and similar ways, Douglass eventually learned to read and write.

Once he became literate, Douglass was influenced by a very popular school book, *The Columbian Orator*, the only book he owned while a slave. Containing stirring speeches by Sheridan and Fox, Chatham and Pitt, the book "added much to my limited stock of language, and enabled me to give tongue to many interesting thoughts, which had frequently flashed through my soul, and died for want of utterance." Douglass was especially moved by an imaginary dialogue between a slave and his master, in which the slave convinces the master to emancipate him:

It is scarcely necessary to say, that a dialogue, with such an origin, and such an ending—read when the fact of my being a slave was a constant burden of grief—powerfully affected me; and I could not help feeling that the day might come, when the well-directed answers made by the slave to his master . . . would find their counterpart in myself.

Unfortunately, not only did his new mistress obey her husband's injunction,

but she became even more zealous than he in preventing Douglass from learning to read, forcing him to resort to all sorts of ruses to further his self-education. "Slavery," he wrote, "soon proved its ability to divest her of her excellent qualities, and her home of its early happiness." This illustrates another great theme of Douglass's: slavery's adverse impact on white slave-holders. As Douglass put it in his second autobiography, *Bondage and Freedom*, (which largely amplified and expanded on the incidents described in the *Narrative*), "The slaveholder, as well as the slave, is the victim of the slave system. A man's character greatly takes its hue and shape from the form and color of things about him. Under the whole heavens, there is no relationship more unfavorable to the development of honorable character, than that sustained by the slaveholder to the slave."

Thus, when Douglass declares in his third autobiography, *Life and Times*, that "the abolition of slavery has not merely emancipated the negro, but liberated the white," he is not simply indulging in a fine turn of phrase. From early childhood to his dying day, he saw slavery primarily as a *spiritual* evil—"the fatal poison of irresponsible power"—that wreaks havoc (though in different ways) on black and white alike.

Today, we take the evil of slavery so much for granted that the full force of Douglass's argument can easily elude us. Products of secular and material civilization, we are apt to condemn slavery mainly on the grounds of its physical cruelties and material deprivations. As a believing Christian, however, Douglass was concerned above all with slavery's impact on the soul. That is why the argument that not all slaves were beaten and chained, that some had relatively decent masters and were actually better off, materially, than poor whites, made no impact on him. "A man without force," he observed, "is without the essential dignity of humanity. Human nature is so constituted that it cannot honor a helpless man, although it can pity him; and even this it cannot do long, if the signs of power do not arise."

It is hard to imagine Douglass going along with all those "progressives" who endorsed contemporary slavery—Communism—on the grounds that it provided food for peoples' bellies even

as it shackled their minds and spirits. For Douglass, man is first and foremost a spiritual being, and any system that sets out to undermine his spirituality deserves to be destroyed, regardless of

the material comforts it (falsely) promises. It is a point of view—call it Christian realism—that is conspicuous in modern political discourse mainly by its absence. □

LOST PROPHETS: AN INSIDER'S HISTORY OF MODERN ECONOMISTS

Alfred A. Malabre, Jr.

Harvard Business School Press / 256 pages / \$27.95

FACING UP: HOW TO RESCUE THE ECONOMY FROM CRUSHING DEBT AND RESTORE THE AMERICAN DREAM

Peter G. Peterson

Simon & Schuster / 411 pages / \$22

reviewed by ROBERT D. NOVAK

The conventional wisdom of the nineties, turning experience and common sense on its head, is that higher taxes promote economic growth while lower taxes can always be counted on to make things worse. Alfred L. Malabre, Jr., economics editor of the *Wall Street Journal*, and Peter G. Peterson, Wall Street financier, add to the confusion with books that accomplish an astonishing rewrite of recent American economic history.

The fundamental impulse of the Reagan administration to relax tax burdens, Malabre writes in *Lost Prophets*, was "nonsense of the worst sort. . . . Slow to develop, the painful consequences of supply-side economics as practiced in the Reagan years have been slow to recede—as the one-term presidency of George Bush attests." In *Facing Up*, Peterson refers to Reagan policy as a

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"mad drunken bash" driven by the "nonsense that we could put our fiscal house in order without raising new taxes." After "the world's greatest experiment in debt-financed economic stimulus," he contends, "we find ourselves boxed into a corner from which there are no pleasant exits."

Before you mistake these two books for leftovers from the 1992 Clinton campaign, consider: Malabre clearly regards himself as a conservative and once was a leading journalistic advocate of Milton Friedman's monetarist school. He is an apparent loser in the internal Balkan wars at the *Journal* and now has been put to pasture for the most part. Peterson served as Richard Nixon's secretary of commerce and refers to himself as a "Republican fat cat." During the Reagan and Bush years, he writes, "I felt increasingly like a Republican abandoned by his party." (In fact, a better case could be made for the opposite.)

While both are thus in a sense outsiders, in the larger picture Malabre and Peterson are squarely in the liberal main-

stream, journalistically and politically. Wholesale rejection of supply-side economics has spread, thanks to a massaging of statistics to which these two works make a regrettable contribution.

Malabre's performance is truly amazing. Not satisfied to trash Reaganomics, he also assails the Kennedy-Johnson tax cuts, which supply-siders have celebrated, and blames them for the stagflation that followed a decade later.

But what of the record 106-month economic expansion of the 1960s? It derived from the Eisenhower administration's "legacy of fiscal restraint," Malabre argues. In fact, Eisenhower's refusal to lower tax rates led to three recessions in eight years, virtually guaranteeing a Democratic victory in 1960. In a leap of faith, Malabre suggests that Eisenhower's refusal to push for an anti-recession tax cut "probably created conditions conducive to the long expansion of the 1960s." Similarly, Malabre claims that what he calls "the long 1982-1990 expansion" was brought about not by the Reagan tax cuts "but through the simple evolution of the business cycle. Deep, long recessions, economic history shows, tend to be followed by relatively long expansions."

Both Malabre and Peterson take Lyndon Johnson to task for not immediately imposing a special tax to finance the Vietnam war. Johnson succumbed to pressure in January 1967, and proposed a 6 percent surcharge, described by Malabre as LBJ's "new conservatism." Neither notes that while the surtax enabled Johnson to balance the budget for one year, the extra tax bite—continued by Nixon after he was elected in 1968—was followed by prolonged stagflation that was not relieved until Reaganomics came about in the 1980s.

Nor does this pair find fault with the Clinton tax increases. The Clinton budget, writes Peterson, "shattered some paralyzing dogma of the Reagan-Bush years. The nonsense that we could put our fiscal house in order without raising new taxes was finally laid to rest." The only problem, Peterson says, is that Clinton did not go far enough. His own proposal is "The Peterson Budget Action Plan," which combines massive federal spending cuts with expanded taxability

of federal benefits, limited tax deductions on home mortgages, increased federal "user fees," still higher marginal tax rates, a 5-percent consumption tax, a 50-cent gasoline tax, and hikes in tobacco and alcohol taxes.

That is a monstrous new tax load to stand up against the one supply-side agenda item embraced by Peterson: indexation of capital gains rates, which, on his list of twenty-four "reforms," ranks twenty-fourth.

There's more to these two economic tomes than the mere defense of higher taxes and attacks on supply-side economics. In *Lost Prophets*, Malabre also rejects Keynesianism and even his once-beloved monetarism. As such, he is left with no ideology at all, aside from an agnostic's reliance on the business cycle.

This is Malabre's sixth book and, as his successful journalistic career is nearing its end, it contains valedictory elements and sundry reminiscences (though his accounts of economic seminars attended in Bermuda and New Hampshire prove less compelling than, say, Peter Arnett's recollections from the battlefields of Vietnam).

Yet there is verbal cordite in the air when Malabre tries to settle scores with *Wall Street Journal* editor Robert Bartley, who dominates the paper's editorial policy. Terming Bartley's reporting career "undistinguished," Malabre assails outgoing editor Vermont Royster's selection of Bartley as his successor. Malabre accuses Bartley of falling under the sinister influence of Jude Wanniski, then his lieutenant on the editorial page, in promoting the supply-side agenda and selling it to the world.

Pete Peterson is similarly bitter about growth-oriented Reaganomics. His book relies heavily on charts, many of them in living color, which provide a road map for the austere journey he and his bipartisan Concord Coalition partners, former senators Paul Tsongas and Warren Rudman, have prescribed for America. (The two wrote the foreword to this volume.)

There are also autobiographical elements. Peterson's first chapter ("What My Father Knew About Economics") explains what he's about. He grew up in Kearney, Nebraska, where his Greek immigrant father, George Petropoulos,

was proprietor of a 24-hour, 365-day diner. His economic thinking began to take shape when his father refused to take the Union Pacific streamliner to Colorado for the family's biennial vacation, because it would cost too much. "Instead," Peterson writes, "on the hot, dry, 110-degree plains of Nebraska, seven of us—assorted relatives included—[would] pile into the DeSoto for the 12-hour rattling crawl to Colorado."

"Only years later," Peterson writes, did he realize that his father was "looking ahead to the future" by not taking the train. Today, he warns, "most Americans—emphatically including the middle class—will have to give something up, at least temporarily, to get back our American Dream." That is, this self-described "fat cat" is anxious to impose his father's philosophy on the rest of us.

The antidote to this misguided self-flagellation can be found in Wanniski's supply-side primer, *The Way the World Works* (available from Polyconomics, Inc. in Morristown, New Jersey). First published in 1978 and updated last in 1989, it remains a tour de force, traversing the globe and the centuries to portray how the heavy hand of taxation impedes economic growth. Further validation of Wanniski's theories is presented by Bartley's *The Seven Fat Years*, an effective 1992 explanation of exactly how supply-side economics brought about prosperity under Ronald Reagan.

But is anyone still preaching from these texts? Those who made the supply-side revolution—Bartley, Wanniski, Jack Kemp, Arthur Laffer, Paul Craig Roberts, Jeff Bell—are a band of brothers no more. They rarely see each other, and some of them are not even on speaking terms. No politician has taken up the role Kemp played in the late seventies of standing up to the rhetoric of "sacrifice"—not even Kemp.

The dogmas of Al Malabre and Pete Peterson—that lower taxes mean stagnation and higher taxes mean growth—are more and more accepted without serious challenge. Through the centuries, this notion of austerity imposed by the governing elites for the benefit of the governed has always caused misery for everyone but the governing elites themselves. It is a lesson we seem doomed to relearn painfully. □

STILL MISSING:
AMELIA EARHART AND THE SEARCH
FOR MODERN FEMINISM

Susan Ware

W.W. Norton / 304 pages / \$22

LOST STAR:
THE SEARCH FOR AMELIA EARHART

Randall Brink

W.W. Norton / 206 pages / \$25

reviewed by FLORENCE KING

As the ultimate defiance of nature, flying is so rich with feminist symbolism that *Fear of Flying* made a perfect title for the novel that became the bible of fledgling Women's Libbers in the early seventies.

Twenty dubious years later, the subject of flying has provided another title to another champion of the cause. Perceiving feminism as stacked up on the runways of life, New York University history professor Susan Ware examines its problems and possibilities through the prism of Jazz Age aviatrix Amelia Earhart, who vanished over the Pacific on a round-the-world flight in 1937. She concludes that women's equality is, like Earhart and the remains of her plane, "still missing."

Amelia Earhart had the intriguing distinction of being the only female oddball ever to bring conformist America to its knees in worship. Born in 1897 in Atchison, Kansas, to an upper-crust mother who married beneath her, Amelia remained above the battle as her alcoholic father drank up the family fortune. Immured in an unreadable serenity eerily reminiscent of an Ayn Rand char-

acter, she worked stoically at a series of dreary office jobs to earn money for the flying lessons that she "knew" she had to take. It was her destiny and she never questioned it, any more than an Ayn Rand character would have.

Her big chance came in 1928 when she was employed as a social worker in Boston. The publisher G.P. Putnam was promoting a transatlantic flight for a Philadelphia dowager who wanted to be



Florence King writes "The Misanthrope's Corner" column for National Review. An anthology of her work, *The Florence King Reader*, will be published later this year by St. Martin's Press.

the first woman to fly across the Atlantic. When the daring lady's family forbade her to do it, Putnam launched a search for another woman to take her place. A mad genius of public relations, he was intrigued by stories of "the social worker with a pilot's license" and struck by Amelia's physical resemblance to Charles Lindbergh, who had flown the Atlantic the previous year. The 31-year-old Amelia got the job and flew into fame.

She was merely a passenger on the flight, but women had only had the vote for eight years. Female achievement was still a novelty; America was so eager for "women's first" anything that Amelia was hailed as "Lady Lindy" and lionized by an adoring press and public. After her transatlantic solo flight in 1931 she entered the cult of post-suffrage heroines: Gertrude Ederle, the first woman to swim the English Channel; Babe Didrikson, the first woman to win three Olympic gold medals in track and field; tennis champion Helen Wills; and columnist Dorothy Thompson.

The essence of this brand of feminism was leading by example, and Susan Ware is put off by it. "These women played a part in the survival of a feminist impulse without their even having to swear allegiance to the cause," she sniffs. A "gender feminist," Ware credits Earhart & Co. with keeping feminism alive in the post-suffrage era, but believes that what she calls their "liberal feminism," based as it was on individual achievement, "did little to inspire women collectively and failed to challenge the prevailing gender system."

In other words, they were not willing to rip up the social fabric in the name of outcome-based equality. Ware refrains from calling them elitists—and she does break off from her sloganeering to ask us to "put ourselves in the [early feminists'] shoes"—but clearly that is what bothers her. She exudes an air of condescending regret that the cult heroines of the twenties, with their just-do-it philosophy, were hampered by "a failure of vision" because they were content to be role models:

Missing from Earhart's ideology was any awareness that there might be women who for reasons of race, class, sexual orientation, or other "differ-

ences" would not be able to make the free choices and implement them the way that Earhart had. Far too often a model based on, and mainly available to, privileged members of the white middle class was held up as a universally attainable ideal. . . . Not only were all the popular heroines of the inter-war period white, but they generally came from Protestant backgrounds.

It is statements like this that make Ware's interesting and well-written book so irritating to read. They squirt out of her like ink from a squid. She even chides her subject for remaining silent on "same-sex romantic friendships and partnerships that had been so important to earlier generations of women." Does she really believe that Earhart—a Nancy Kerrigan with good grammar—should have extolled Boston marriages?

The real fault, Ware concludes, lay with the conservative politics of the 1920s and the "increased cultural and social imperatives toward heterosexuality" that made career women suspicious of the good old days of same-sex this and that. Earhart had no choice but to adapt. She married G.P. Putnam after making him promise in writing to let her leave him if she found the wedded state unbearable.

Whether the union was consummated is for anyone to guess (Ware doesn't try), for Earhart was distinctly "androgynous." Not surprisingly, Ware objects to this word, so she calls androgyny "gender blending," which means the same thing. She correctly identifies the quality as the secret of Earhart's appeal. Despite her mannish pilot's gear, says Ware, Earhart bore little resemblance to the stereotyped upper-class mannish lesbian of the times. Though she was rarely seen carrying a purse, she took care to add a string of pearls to her usual garb of overalls and leather flying cap. Not only that, she was photographed fingering the pearls—a quintessentially feminine gesture.

Ware does a fascinating job of amassing evidence of Earhart's androgyny, but she gets sidetracked by a typical feminist obsession: Why, she demands, did no one call Lindbergh "Lord Earhart?"

The purpose of Ware's book is to rescue Amelia Earhart from the cult of her disappearance and refocus attention on her life. For a detailed account of her disappearance we

must turn to *Lost Star*, by Randall Brink, a former commercial pilot and aviation editor who pitted himself against the laughably named Freedom of Information Act to discover the truth about the two persistent rumors: (1) Earhart was spying for Franklin D. Roosevelt, and (2) she was captured by the Japanese and brainwashed into serving as the radio propagandist called "Tokyo Rose."

Brink promises more than he delivers,

but he promises it in a gripping narrative and the disappointments are not his fault. He doesn't uncover the truth about Earhart, but he certainly uncovers the truth about the exalted FOIA. Idealists who go all gulpy and we-the-peoplish over images of citizens happily browsing at will through any pile of government documents that strikes their fancy will be devastated by Brink's account of his struggles to pry loose the pertinent material.

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whistlestop contains millions of yards of microfilm, enough to circle the globe at the equator as Earhart planned to do on her last flight. No one can see it, however, because it won't be ready until 2021, when the machines to run it on will no longer be available. The thing to remember in dealing with the FOIA, says Brink, is that in order to request a secret document, you must know what's in it.

Brink makes it clear that Earhart was up to something. "The real story would stagger the imagination," said Fleet Admiral Chester W. Nimitz in retirement. Even more chilling is what Treasury Secretary Henry Morgenthau told Eleanor Roosevelt:

If we're going to release this, it's just going to smear the whole reputation of Amelia Earhart. . . . We have the wireless messages. . . . What happened to her the last few minutes. I hope I've just got to never make it public. . . . It isn't a very nice story.

The last wireless message was not a navigation report, as was long thought, says Brink, but a reference to seeing someone who "looks like an admiral," indicating capture by Japanese naval forces in the area. After Earhart disappeared in July 1937, the U.S. government quickly acknowledged her death as fact, yet in 1944 it made her husband a major in Army intelligence and sent him to China to listen to Tokyo Rose tapes to see if he could identify her voice. "I'll stake my life that is not Amelia's voice," said G.P. Putnam. "It sounds to me as if the woman might have lived in New York, and of course she had been fiendishly well-coached, but Amelia—never!"

Fiendishly well-coached for what purpose? Brink believes that Japan wanted the U.S. to think that they had Amelia so they could use her for a bargaining chip in peace negotiations. A more telling consideration, which he does not address, is Putnam's marital status in 1944. According to Susan Ware's book, Putnam married twice more before his death in 1950. Was he married to another woman when he went to China to listen to the tapes? And if so, would he have wanted Amelia found?

Another problem with Brink's account is his conflicting descriptions of

the landing field the U.S. built for Amelia on tiny Howland Island. On page 75 he writes:

To this day, although three impacted coral runways remain as firm and perfectly smooth as asphalt (the longest a mile long), no airplane has ever touched down on the airfield at Howland.

On page 102 he writes:

Immediately after Pearl Harbor, Howland Island was the second U.S. territory to be attacked. . . . The Japanese carrier-based planes blasted

the Howland airfield into cratered uselessness. . . . The bomb damage has never been repaired.

Whichever it is, and despite the byzantine FOIA, Brink achieves some extremely effective moments in this book. The most dramatic concern the drinking problem of Jim Noonan, Earhart's navigator on the last flight. Brink's account of the bender Noonan probably went on the night before their final takeoff and his imaginative reconstruction of Noonan flying with a massive hangover are truly harrowing. He could have written a novel instead. □

BEN NIGHTHORSE CAMPBELL: AN AMERICAN WARRIOR

Herman J. Viola

Orion Books/313 pages/\$24

reviewed by WAYNE MICHAEL SARF

In 1905, fabled Indian warriors, including the Comanche chief Quanah Parker and the Apache die-hard Geronimo, rode in Theodore Roosevelt's Inaugural Parade. But in 1993 it was the Indian of Bill Clinton's P.C. dreams who stole the spotlight from the contingent of Navajo code-talkers and other legitimate warriors. Our fearless leader delivered a weird clenched-fist salute as the horseman rode past, face painted, lance in hand—new-minted Colorado senator Ben Nighthorse Campbell, his warbonnet's feathers symbolizing not authentic war deeds but the somewhat less hazardous victories of competitive judo.

"By any standard of measurement," gushes Herman J. Viola in his preface to this new biography, "Ben Nighthorse Campbell is a remarkable individual." Unfortunately, that introductory premise

Wayne Michael Sarf is the author of *The Little Bighorn Campaign*, March-September 1876, and co-editor of *The Custer/Little Bighorn Battlefield Advocate*.

is not justified by the 313 pages of Dull Earnest prose that follow—dull earnest, that is, when the voice is not one of openly confessed, goop-eyed admiration for an admittedly talented and determined man whose "remarkable" feats may not be immediately apparent to the reader.

In tones both indulgent and patronizing, Viola records the rise of an All-American boy and his descent into the role of Professional Ethnic. This is Affirmative Action history with a vengeance, and Viola cannot resist reminding us that Campbell, born to a Portuguese immigrant mother, is not only one of the few Indians ever elected to the Senate, but also "the first U.S. senator of Portuguese descent." He fails to realize that neither fact is of any particular interest.

Our hero's sometimes harsh, sometimes Tom Sawyerish youth need not concern us, save to note that a teacher found the 14-year-old Campbell "resentful and hypersensitive"—good traits for a future Professional Ethnic, though his father (apparently "part Apache and part Pueblo Indian and, most likely, part

Cheyenne") had insisted upon concealing his own Indian background. Nor need we dwell on Campbell's career as an Olympic judo competitor and successful instructor, save to note the strong vein of moral idiocy running through his biographer's work. Describing how Campbell's fanatical competitiveness wrecked his first marriage, Viola carefully explains: "Losing his wife seemed a small price to pay for improving his judo skills, because Ben Campbell had a long way to go if he hoped to compete effectively on an international level."

Launching a second career as an acclaimed and highly innovative Indian jewelry-maker, Campbell began his mutation into Professional Indian. Growing his hair long and mysteriously becoming "Ben Nighthorse," he would do very well at being an Indian—or "half-breed Indian," as he describes himself.

Yet Campbell is not even that, and has been cited elsewhere as describing himself, perhaps too generously, as three-eighths Indian. Perhaps this shouldn't matter: After all, was not the gray-eyed Quanah himself half-white? (On the other hand, half-Iroquois Lt. Donald McIntosh, with more Indian blood than Campbell, died commanding a troop in Custer's 7th Cavalry. Yet Campbell was raised in a "mainstream" environment, and not even enrolled in the Northern Cheyenne tribe until 1980.)

When does the quest for one's non-Portuguese roots become an annoying affectation? Viola does not address the question, but does his (confusing) best to trace Campbell's Cheyenne roots back to Reuben Black Horse, a veteran of the Custer fight. (He also found that Campbell's paternal grandmother was a prostitute—a peril of genealogy, I reckon.) If Viola's findings are still somewhat vague, for Campbell "establishing a technically pristine paper trail was never a high priority." Nor was precision in matters Indian: having declined to help Nicaragua's Miskito Indians fight their Sandinista oppressors, Campbell recalls them as "the Mesquite Indians of South America."

In his history of the Comanches, T.R. Fehrenbach reminds us that "grandsons of

Gauls crucified by Caesar could and did become Roman senators." Yet they did not, presumably, waste their time stripping scarves off Caesar's images. One gets the impression that Campbell's reputation as a "moderate" Democratic Colorado legislator and congressman was due to never having had an ideological thought in his head before vaunting ambition inspired his first campaign. But for the Professional Ethnic, extremism in the pursuit of trivia is no vice. Entering a committee room, Campbell viewed Seth Eastman's painting *Death Whoop* (not *War Whoop*, as Viola has it), depicting an Indian brandishing a fresh scalp; he declared it "grotesque" and "out of sync with modern-day sensitivities." Instead of putting the freshman in his place, commit-



tee chairman Morris Udall instantly had the painting removed. So what if it had hung there for over a century?

Just why Campbell found this respectful depiction of Indian culture "grotesque" is unclear; certainly by his ancestors's standards it was mild stuff. In 1876, when soldiers attacked chief Dull Knife's Cheyenne village, they found among its trophies scalp-trimmed shirts, two human-finger necklaces, a woman's arm, and a bag containing the right hands of twelve Shoshone Indian babies.

Indifferent to history, but obsessed with "symbolism" as only a Professional Ethnic can be, Campbell led the Orwellian crusade to strip General George A. Custer's name from

Montana's Custer Battlefield and replace it with "Little Bighorn"—on the nonsensical grounds that the field's *real* name, in common use years before the government adopted it, slighted Indian participants and broke a nonexistent rule that battlefields must not be named after "losers." (Reminded that Wyoming's Dull Knife battlefield was named for *its* loser, Campbell claimed ignorance of this major Cheyenne disaster. Viola, needless to say, does not mention the episode.) Quoting Campbell's scornful rejection of Montanans who feared that removing Custer's name would hurt the local tourist economy (odd talk from a man who dropped his own surname simply to *sell jewelry*), Viola endorses his hero's characterization of opponents as racists and "rednecks."

As one of the aforementioned "rednecks," I can authoritatively state that Viola's lengthy account of the controversy is sheer nonsense, faithfully regurgitating the propaganda generated by the National Park Service. His worshipful vision of battlefield superintendent Barbara Booher, a BIA veteran with *no* previous Park Service experience, bears no relation to the obtusely incompetent token appointed in 1989 solely because she was a woman and an Indian. (Booher has since been replaced by—surprise!—another Indian, the Park Service having adopted a Jim Crow rule excluding whites, blacks, etc.)

Viola attempts to portray Campbell's *jihad* as a Homeric struggle against Custer's heroic image—as though that image had not already been smashed by almost sixty years of hysterical debunking. His view of Campbell's success as a massive Indian "victory" is pathetically absurd, for in agreeing to dishonor the Custer name, congressmen desperate to be loved, or in mortal fear of being called "racists," abandoned something they had ceased to value. (Campbell has since encountered more serious opposition when attempting to force the dropping of the Washington Redskins' name, which he imagines originated with the skinning of Indians.) Campbell's lack of any genuine interest in the battle site accounts for his current acquiescence in Park Service plans to destroy it by defacing

old entrenchments with concrete, actively discouraging land preservation, and "privatizing" the area into a theme park.

The book's most disgusting revelation is its claim that then-Congressman Ben Campbell helped the homicidal psychopath Russell Means plan the 1988 defilement of the mass grave on Custer Hill. (See my "Russell Means on Custer Hill," *TAS*, December 1988.) Drawing again on his Moral Idiocy vein, Viola terms this atrocity "long overdue," mocking its opponents. Yet would it really be amiss to suggest that a U.S. congressman who secretly conspires to desecrate the grave of almost two hundred U.S. soldiers in an American military cemetery—solely to gratify his sick Ethnic lust for revenge on a century-dead foe—deserves to rot in jail?

As though forgetting what he has just written, Viola stupidly claims that Campbell could "sympathize" with the Custer family—just one line after quoting him to the effect that the fatal heart attack of the general's great-grand-nephew, Colonel George A. Custer III, was a good omen. Perhaps Campbell really is the sort of fool who considers the death of a 67-year-old man with a bad heart an "omen." But in writing that the tragedy removed an "obstacle" to the name-stripping, Viola inadvertently suggests what we already knew: the only way his jumped-up "warrior" can get the better of a Custer is if the Custer is already dead.

I knew the late Colonel Custer. Unlike the loutish Campbell, he was no sham warrior, but the real article, who had served in three wars and bore his decorations for valor proudly. On the day of his death he had helped dedicate a Michigan monument to his fellow Vietnam veterans—"losers" all, given Campbell's criteria. In opposing the name-stripping, he sought not to glorify the three slain Custer brothers at the expense of Indian combatants, but to defend his family's name and honor—a concept apparently too esoteric for either the ghoul Campbell or his Boswell.

Fortunately Campbell is not always ghoulish; usually he is merely a boorish publicity hound. It is obvious that, if only to prevent future waves of Greek hoplites, Vikings, and Roman legionaries, politicians should be prohibited from appearing in parades

while in ethnic warrior costume. Yet when chosen co-marshal of the 1992 Tournament of Roses Parade to take the P.C. heat off Cristóbal Colón, a descendent of the archfiend Columbus, Campbell appeared on horseback as a nineteenth-century Cheyenne war-chief, insisting on riding *ahead* of Colón's

limo. Still, when a bystander, obviously thinking of the horse's introduction to the New World, raised the reasonable question, "Why aren't you walking like your ancestors did?", the congressman did have an answer. "F--- you!" the noble red man wittily replied. □

LEAVING HOME: A MEMOIR

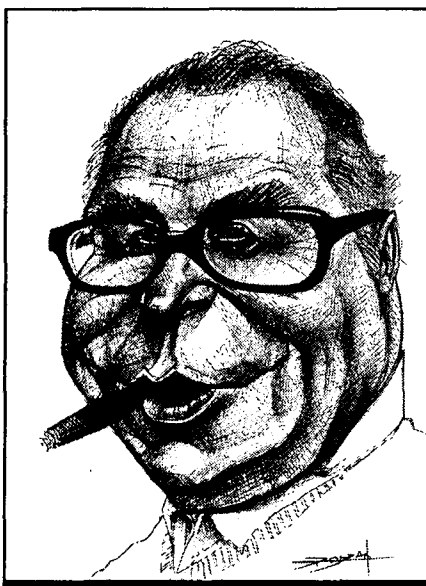
Art Buchwald

G.P. Putnam's Sons / 253 pages / \$22.95

reviewed by ANDREW FERGUSON

Art Buchwald, the famous humorist, is an exemplar of the pre-Oprah generation, the cohort of men who came of age in the late 1930s, saved the world during the 1940s, and thereafter set about creating the most prosperous and pleasant country in history. They were not given to complaint; they did their duty manfully (to use an un-Oprah word) and found virtue in reticence, self-restraint, discipline, and hard work, having as much fun as they could

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along the way. Their children and grandchildren, in turn, repay their steadfastness by queuing up for Phil and Sally Jessy and Oprah herself, where with tears and bitterness they complain about how thankless it has been to inherit the most prosperous and pleasant country in history.

Now, for the Buchwald generation, it's pay-back time. The humorist has written a memoir, currently a best-seller, that is much longer than its 250 pages would suggest. Rumination piled upon anecdote piled upon reminiscence piled upon more rumination, it has a strangely unvarying tone, a long low rumble that never intensifies, never slackens. *Leaving Home* probably takes longer to read than it took its author to write. It seems to have been offered not for illumination but as punishment.

About three-quarters of the way through the book, Buchwald gives a hint of his motivation. He recalls that he often entertained his children and dinner-party guests with stories of his days as a Marine in World War II. "Then I noticed their eyes glazed over," he writes. "I discovered over the years that the only one who will listen to your stories is another Marine."

This is a curious admission for a memoirist to make, especially after he has just uncorked more than seventy-five pages of the very same Marine stories that stupefy his dinner companions. On

the page, some of the stories are well told—he's had lots of practice, after all. A few of those are even amusing, in a mild, wry sort of way. But you're entitled to wonder: If his own friends can't stay awake through his interminable recollections, what conceivable reason could he have for thinking the book-buying public would? The question dogs his memoir from first page to last.

The son of European immigrants who made their way to New York City, Art Buchwald had an unpleasant childhood. Shortly after his birth his mother succumbed to mental illness. She was put away for the rest of her life and her son never met her. Buchwald's taciturn father struggled unsuccessfully to support his family, and was forced to leave young Arthur and his three sisters in the care of a series of foster homes.

Some of these people were nice to the boy. Some weren't. From Buchwald's deadpan retelling it's hard to know which was which. *Leaving Home* is the work of a fellow who has been writing for newspapers for a very long time: the sentences are short, the paragraphs are short, and they follow one another with no evident regard for narrative flow. He tells his life story chronologically, which is reasonable enough, and fortunate, too, for chronology affords *Leaving Home* its only structure. Otherwise long stretches of the book consist solely of disconnected thoughts—what a less kindly reviewer would call non sequiturs. Here's one passage lifted at random from a single page:

I printed one copy [of a family newspaper] and passed it around at family gatherings, waiting for laughter and compliments. Things haven't changed much. I'm still doing the same thing—showing my writing to others and waiting for a reaction.

Aunt Ruth, Aunt Pauline, and Aunt Augusta were all related. They accepted me as part of the family. I never felt treated as an outsider.

People tell me that I was a sloppy dresser. My socks were constantly falling down and my shirttail was always sticking out. Throughout my childhood, everyone in charge of me asked the same question, "Did you brush your teeth?"

It doesn't take much of this before a

reader grows frustrated, not to say bitchy, and begins to talk back: "And? ... And? ..."

If there is a moral to the maundering—and I'm just taking a stab at it here—it might be summarized in the lesson Buchwald took from his unstable upbringing, and which he repeats throughout the book: "If I was to survive, I would have to fend for myself rather than wait for help from others." The lesson armored him well throughout his adolescence, as he straggled from one odd job to another. After Pearl Harbor, he left home for good. He lied to the Marines about his age and spent the war as an ordnance man on a Pacific atoll, where he garnered the experiences that would drop heads into soup tureens for the rest of his dinner-going life. After V-J day, he enrolled in USC. Then, in a spirit of adventure, he took off for Paris on the GI Bill. He finagled his way onto the *Paris Herald-Tribune* as a gossip columnist.

The rest is history, or so Buchwald must presume, for there the book ends. The reader, however, will still be in the dark as to why, precisely, Buchwald has written a memoir at all. Its great virtue, given the author's difficulties as a young man, is its lack of self-pity, so rare in the Oprah age. But *Leaving Home* begs com-

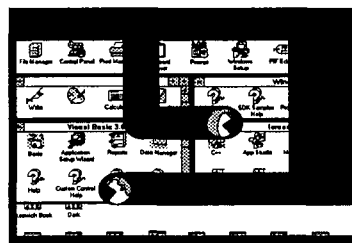
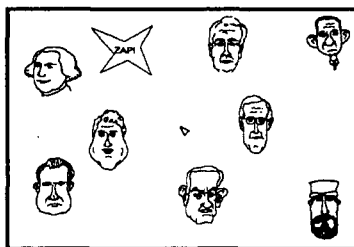
parison with the childhood memoir of his fellow columnist Russell Baker, whose *Growing Up* was wittier and wiser and far more evocative of the same World War II generation.

Writing a memoir, says Buchwald, "is probably the most egotistical project a person can undertake." From unpromising origins he has become inordinately successful—famous and highly paid, a winner of the Pulitzer Prize and a member of the American Academy of Arts and Letters. As a newspaper humorist he ran out of gas about twenty years ago, yet his columns continue to appear in hundreds of provincial papers. He writes his pieces with preternatural speed, as anyone who's read them can see. They are topical, very brief, and almost indistinguishable one day to the next. Editors love him for these reasons and one still more important, which is that his work is as likely to offend newspaper readers as "Hints from Heloise." He is, in short, a world-champion coaster, and, as with all coasters of long standing, his self-regard has at last overtaken his capacity for discrimination.

There is, I guess, some justice in this. The generation that saved the world is now going to bore it to death. □

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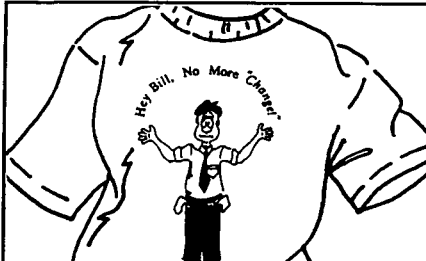
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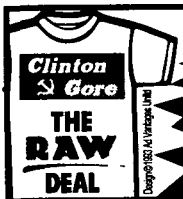
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WILLIAM MCGURN
(continued from page 49)

his career in the U.S. "Now the Japanese economy is doing very badly. But we feel sure that a strong Japanese economy will be able to absorb this tax increase in three years." The only question, it seems, is how to sneak it past the public.

The ostensible reason for a tax increase is that Japan must take steps to provide for its rapidly aging population. But there is no reason that this could not be done more imaginatively by the private sector—no reason, that is, except that taxes represent the lifeblood of the bureaucracy. Without taxes, the bureaucracy would wither, which perhaps explains why an ostensibly conservative Ministry of Finance does not oppose the multibillion dollar efforts to spend their way out of recession. "The Ministry of Finance is against budget deficits but it is not against increased expenditures so long as it can pay for them with taxes," says the University of Tokyo's Kazuo Ueda. "In fact, they favor this kind of expenditure because it increases their power."

The result is one of the most peculiar tax systems in the world. Although the overall tax burden is relatively low compared to that of most developed countries, its marginal rates are steep. Revenue comparisons with Friedmanite Hong Kong highlight the inefficiencies involved. In Japan, where the wealthiest top ten percent are taxed at a marginal rate of 50 percent, they contribute some 51 percent of total income tax revenue. In Hong Kong the top rate is an effective 15 percent—less than a third of Japan's—and the corresponding contribution from the top is 73 percent. By keeping marginal rates low on the wealthy, Hong Kong manages to make it easier on those at the bottom: 43 percent of the population pays no tax at all. That figure, moreover, will rise to an astounding 58 percent with the Hong Kong government's latest budget.

The social implications are even more telling, for Japan's high marginal rates punish precisely those whom economies most want to reward: the innovative and risk takers. Part of this reflects a Japanese social decision to keep everyone more or less the same, and doubtless at least some of the reluctance to change it owes itself to the Asian preference for a workable hypocrisy over an inconvenient truth. "All

the talk about the tax cut here is an elaborate tap dance around the real issue, which is that tax evasion here is on par with Italy's," says Salomon Brothers' Ogawa.

Like any steeply progressive tax code, the Japanese system invites cheating and encourages cynicism. High earners resent the confiscatory levels and exploit the loopholes, while working stiffes resent their inability to use these loopholes. There is even a term, *kuroyon*, that sums up the unfairness. Literally it means 9:6:4, shorthand for a formula whereby salaried people pay tax on 90 percent of income; the self-employed on 60 percent and farmers on 40 percent.

Just as in America, this means that ordinary people expend extraordinary amounts of energy looking for ways around taxes. False-name bank accounts abound. Receipts are not rung up. On a more legal front, many companies have moved to subsidize their employees' lunches through a monthly ¥7,000 (\$66) voucher that is tax deductible and accepted at an increasing number of restaurants, including Denny's and 7-Eleven Japan. Even Japan's much vaunted system of lower executive pay has as much to do with its progressive tax curve as with any Trappistlike desire to forgo material remuneration.

A few years back film director Juzo Itami transformed this resentment into a box-office smash with *A Taxing Woman* and *A Taxing Woman II*, hilarious send-ups of comedies about tax inspector Ryoko Ikatura's efforts to nail enterprising tax dodgers. More rascals than robbers, Miss Ikatura's foes drive Rolls Royces, own love hotels, hide income in hundreds of false-name bank accounts, keep different sets of books, and even incorporate as religious organizations to avoid taxes. But if there is an enemy, it is the heavy hand of government. As the wife of a small restaurateur whom Miss Ikatura audits screams at her, "You are so polite but you're really just a bloodsucker."

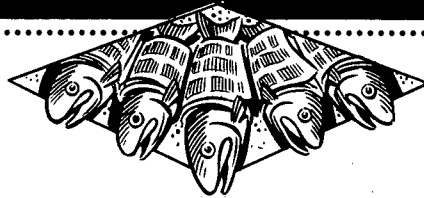
Before the bubble burst two years ago, bookstores were full of triumphant works by Japanese claiming the future for themselves (remember *The Japan That Can Say No?*) and pessimistic works by Americans warning that if we didn't watch these guys, we'd soon be a second-rate subsidiary of Japan, Inc. (*Trading Places*, *Agents of Influence*). Come to think of it, Americans are still writing such books. But not the Japanese.

Today the talk in Japanese newspapers is of "Rising Sam"—America's successful regeneration of its economy.

But just as the Japanese were not quite as strong as they thought back in the late 1980s, they are not quite as weak as they now worry. Japan is quite dynamic in its way, and not all of that fits the stereotype. The auto industry, for example, is not just Toyota, Nissan, Honda; it is based on a tremendous network of small and medium-size producers that do everything from seat covers to ash trays. These networks exist throughout Japan's markets, and they are as flexible and competitive as any in Asia. "The myth of Japan, Inc. is much more believed outside Japan than inside," notes Representative Terasawa.

The biggest challenge for these smaller and medium-sized companies is not foreign competition, but a domestic bureaucracy that keeps them in a sort of indentured servitude to the big boys, denying them access to credit and suchlike. But cracks are appearing all over, reflecting the maddeningly slow but nonetheless inexorable shift of power from producers to consumers. Department stores, once severely limited by the tens of thousands of small shopkeepers, have now been permitted to stay open longer. The ¥3.5 trillion beer market dominated by five major companies—Kirin, Asahi, Sapporo, Orion and Suntory—will now be challenged by small brewers taking advantage of a relaxation in the Liquor Tax Law that hitherto insisted on a minimum production of 2,000 kiloliters a year.

In other words, Japan Inc. is busting up. The bureaucracy may think it is managing this transition, but it is in fact following rather than leading trends. Farmers and mom-and-pop shops face dual pressures from the competition of the marketplace and the unwillingness of their children to follow in their place. The system of lifetime employment has been overtly breached, with more defections to follow. And just as the market did almost overnight to IBM what legions of anti-trust lawyers had been unable to do for decades, the global economy forced open the symbol of Japanese insularity—the ban on foreign rice. Clearly the future will have fewer elevator girls and more Aoyamas. "I think we will make the transition," says the Keidanren's Nuzakawa. "But if we don't—if we fail to create a society where creativity is rewarded—we will fail with a vengeance." □



Washington Post

Beware of Greeks bearing The Big Lie:

That different people should hear Clinton so differently is not new. He has said that as an undergraduate at Georgetown University, he was asked to consider the priesthood by a professor who thought Clinton's term papers the work of a serious Catholic. Yet Clinton is a Southern Baptist.

Advisers say Clinton speaks from conviction, not calculation. Religious language "comes naturally to him because it's so woven into his life and experiences," Stephanopoulos said.

[March 10, 1994]

New York Times Magazine

Feminist sage Catharine MacKinnon espies another deficiency of the First Amendment, to wit, that it does not protect unutterable utterances or inexpressible expressions. Jefferson never thought of this. What is more, the government is interfering with the speech of those who cannot speak. *Something must be done:*

The First Amendment only protects that speech that can manage to get itself expressed, and often that is the speech of power. Only that speech that can be expressed is speech that the government can attempt to silence; in the name of dissent one can then attempt to use the First Amendment to defend that speech. But what about those layers of society that have been deeply silenced, among them sexually violated women, including prostituted women, including groups who are kept illiterate and thus not given access to speech from slavery times through the present. Those groups the First Amendment doesn't help. They need equality to get access to speech—to get to the point where the First Amendment could help them by keeping the government from interfering with their speech. We have barely heard from those groups.

[March 13, 1994]

Houston Chronicle

The rise of Miss Leslie Perez, a singularly compassionate, progressive Democrat from the intellectual wing of the party:

Leslie Perez was leading six opponents Tuesday in early returns in her bid to become the Harris County Democratic Party chair.

Perez, 56, a transsexual who was once convicted of murder, had a narrow early lead on incumbent Democratic Party Chairman Mike Charlton.

Perez, under the name Leslie Douglas Ashley, was convicted of the 1961 murder of a local businessman and later underwent a sex change operation. The death sentence was overturned and in a second trial she received a 15-year sentence. Perez was paroled in 1971.

[March 7, 1994]

Columbia Journalism Review

Whilst discoursing on David Brock's account of Bill Clinton's libido, Christopher Hanson divulges that he too has feet of clay and perhaps could use a pedicure:

One reader recalls how the *Post's* reference to "vulgarity" piqued his curiosity. He went out immediately and bought a newspaper that was certain to have reported any vulgarities about Clinton that were available—the *Post's* hard-right rival, *The Washington Times*. The *Washington Times* article provided many graphic details from the Brock account, focusing heavily on allegations about oral sex. But it left some incidents out for lack of space. So our reader felt compelled to track down a copy of the *Spectator* itself. He closely read the most graphic passages—e.g., one in which Clinton is alleged to have said that one woman "could suck a tennis ball through a garden hose." Then he reread certain of these passages. Only then was he ready to declare the piece to be irrelevant trash. This reader prefers not to be identified, but probably should be: it's me.

[March/April 1994]

Washington Post

The Age of Innocence:

Brown's father, Edmund G. "Pat" Brown, remains a beloved figure here. A smiling, back-slapping Irish pol, Brown had two terms as governor, from 1958-1966, that coincided with the prime of California, before the Beach Boys gave way to Altamont, and New Deal liberalism was rejected in favor of Ronald Reagan's conservatism.

[February 25, 1994]

Insight

On the correspondence page of Washington's leading political weekly, a politically correct euphemism unimaginable even by Anna Quindlen:

In the piece "Clinton's Health Reforms Fail to Cap Irresponsible Behavior" [Fair Comment, Jan. 31], Cherie Harder worries that the government is not capable of making citizens more virtuous. She proceeds to berate President Clinton's proposed health care plan for not having a provision to charge recipients differently on the basis of lifestyle.

What exactly is she proposing, that government target people who are sexually active, who are homosexual or are from impoverished, crime-ridden neighborhoods and charge them more for health insurance?

Harder fails to answer how she intends to separate these morally challenged individuals.

—Laura A. Acerra
Grand Rapids, Mich.

[February 28, 1994]

New York Times

The metaphysical dropping of La Quindlen the morning after an evening of reading the German romance philosopher Heinz Joseph Elbow (1613?-1700). She read his later stuff:

It is a truth universally acknowledged that a change in the political landscape makes an enormous difference in the world view of some part of the electorate.

[March 5, 1994]

Village Voice

A colossal boost for Boy Clinton's 1996 presidential prospects from the venerable *Voice's* Manohla Dargis, rampant philatelist:

I don't believe for a second that Clinton's been a better or worse president because he's femme—only that he's been cruelly and suggestively skewered because he is more like a woman than not. When he stands next to his vaguely butch, breadwinning wife, Clinton looks less power-hungry than accessible, mortal. Taken together, the Clintons embody the changing nature of politics, sexual and otherwise. Taken alone, Clinton looks more like people I care for than people I fear. Ultimately that is the shock of this new presidency. Clinton incarnates a generation of men who came of age under feminism and the civil rights movement, men who don't always wear privilege with ease. Like his, their hunger isn't reducible to pure need, pure greed. When I look at Clinton, the memory of Reagan and Bush's toxic paternalism and appetite for destruction-fades. Bill Clinton looks more like the future, as uncertain as that seems.

[January 25, 1994]

Larry King Show

Once again, Larry King caught in *flagrante delicto* in his White House courtier mode:

Unidentified Woman: Remember back in December, the two—this *American Spectator* came out and said—and you said nobody has come forward to say that they were telling the truth?

King: And yesterday, that same guy brought forward one woman, and all it is is one woman, but I'll tell ya—I'll tell ya . . .

Woman: No, no . . .

King: Let me tell you . . .

Woman: . . . she has lawyers . . .

King: Hold on, hold on . . .

Woman: . . . she has backup.

King: Hold on. Ma'am, I—let me tell you something about this. Mr. Jackson, who I know well, in Arkansas, has had a lifetime hatred with Bill Clinton. I can only guess that Bill must have taken a woman away from him back in Oxford. That's my best guess, 'cause I know this guy, and he's warped. And if all the conservatives have to go on is Bill Clinton with women years ago—which to me was already an issue in the campaign—see, he's elected already ma'am. He ain't running anymore.

[February 14, 1994]

Washington Times

Hillary's latest whopper:

At the closed rally in the East Room, Mrs. Clinton urged 300 White House staff members not to let the case distract them from their jobs.

Buttressed by a presidential hug and kisses on the cheek, the first lady drew audience tears as she sought to put things in perspective with the story of an Arkansas woman with cancer in both breasts who said she had enough money to have lumps removed from only one breast.

[March 10, 1994]

New York Times Magazine

From Bruce Handy, "a senior editor at *Time* magazine," still more risible riffs on that awkward and embarrassing, if omnipresent, male member:

Fewer men still will leave their penises to museums, though it has long been rumored that the Smithsonian Institution includes John Dillinger's among its exhaustive collections of Americana. Perhaps the curators had had it appraised.

They hadn't. "We have no penises," said a spokeswoman for the institution. She referred me to the museum at the Walter Reed Army Medical Center, which she said contained many "disgusting anatomical specimens" and might be the source of the Dillinger rumors.

Strike 2. "We are not the home of the Dillinger penis," said an official at the Walter Reed museum. "We have no famous penises." However, the museum's extensive collections do include a number of unfamous penises, as well as bone fragments left over from Abraham Lincoln's head wound.

[February 13, 1994]

Philadelphia Inquirer

In celebration of its centennial year, the revered Shipley School brings together a cross-section of America's glassy-eyed educationists, whose public remarks, unfortunately, the *Inquirer* neglected to translate into English:

"We must not teach life skills and ethical lessons that were once taught at home," said Pamela J. Clarke, head of The Masters School in Dobbs Ferry, N.Y. "The most important thing we must teach is nonviolent confrontation and peaceful resolutions of differences. We must teach children to play and sing and work together with children of the universal nation."

Calling assimilation a thing of the past, Clarke said a greater emphasis needed to be made on teaching children to understand

different people, customs and religions rather than trying to mold them into what is accepted as a universal norm.

Peggy McIntosh, associate director of the Wellesley College Center for Research on Women, and founder and co-director of the K-12 National Seeking Educational Equity and Diversity project, divided education into five phases. Each phase refers to teaching from a different perspective. One way is the male Eurocentric view; another, for example, would teach by looking at different cultures the way people in those cultures look at themselves.

McIntosh said teachers must "teach as a co-learner. Given the changed nature of the world, teachers' capacity to rethink, relearn and re-envision is called upon every day."

Peter D. Relic, president of the National Association of Independent Schools, . . . urged educators to dissolve barriers between academic departments such as English and mathematics and let education become one experience.

[January 24, 1994]

New York Times

An editorialist to the scepter born invokes the august name of philosopher Charles Sanders Peirce and calls for prohibition of another word the liberal brethren find painful. Orwell is never far away:

When an idea becomes a hindrance to clarity, Peirce said—even when the idea is one's own—it's best to pat it on the head and send it away. That's good advice, especially for people who write about politics. The clichés are subtly invasive and, ultimately, blinding. Today's political discourse is thick with notions that meet Peirce's test for expulsion.

The term "politically correct" is clearly the front-runner. It emerged in the 1960s, when remarks that were judged to be racially or sexually insensitive were sarcastically referred to as "politically incorrect." In the 80s, right-wing ideologues stripped the term of irony and began using "political correctness" to describe what they saw as a systematic effort by liberals to crush free and open discourse. But this was an imagined tyranny, dreamed up just as right-wing politics reached its apex on campus and in the White House.

Nevertheless, "politically correct" caught on as a term of derision, aimed at discrediting ideas associated with liberalism. The term is now invoked at every turn: when racial or sexual intolerance is called into question; when a political party chastens an errant member; when someone advocates expanding the study of Western culture beyond the classics; when people encounter ideas they don't like.

[December 5, 1993]



Hamilton Warned Us

by Terry Eastland

Early in the 1992 campaign, Hillary Rodham Clinton remarked, in response to the question of how come she didn't run for president herself, "If you vote for him, you get me." When the idea didn't fly with the public, Mrs. Clinton remade herself into the more traditional-looking and -behaving spouse. But now, fifteen months since her husband was sworn in as the nation's forty-second president, it seems clear that, in voting in Bill, the American people have indeed voted in Hillary.

While Mrs. Clinton's predecessors to one degree or another influenced their husbands, she is the first First Lady to superintend the most important policy initiative of her husband's presidency (health care reform). Likewise, she is the first First Lady effectively to wield Article II powers of nomination and appointment for key administration posts, including that of now-departed White House counsel Bernard Nussbaum. By all accounts, Mrs. Clinton does not touch foreign policy, but her involvements elsewhere are so substantial as to suggest that it is a mistake to speak of her husband's administration. The reality at 1600 Pennsylvania Avenue is closer to a plural presidency.

Of course, Article II of the Constitution vests the executive power in a President of the United States of America. The framers opted for what they called "unity" in the executive, explicitly rejecting an executive in which power is vested in two or more persons. The arguments for unity and against plurality are found in *Federalist 70*, the composition of Alexander Hamilton. This short essay ought to be kept close at hand as the Clintons serve Bill's term of office.

Hamilton contended that unity in the ex-

ecutive is more conducive to what he called "energy." A plural executive would be less energetic in the sense that it would make decisions more slowly. As Hamilton predicted, this White House has been notoriously slow in selecting individuals for high executive office, and one reason surely must be related to the plurality of presidential interests that certain choices—especially those for top posts at Justice, Health and Human Services, and Education—must satisfy. Here plurality in the executive has worked to the advantage of administration opponents: when top positions are left unfilled, the chance to effect policy through personnel is diminished.

Much of *Federalist 70* concerns the difference of interests inherent in plurality. "When two or more persons are engaged in any common enterprise or pursuit," wrote Hamilton, "there is always a danger of difference of opinion." Warning about "the most bitter dissensions" that can spring from a plural executive, Hamilton said that these "lessen the respectability, weaken the authority, and distract the plans and operations of those whom they divide." Should fatal differences of opinion emerge on a key issue—and note that some differences between Bill and Hillary exist on health-care reform—administration opponents can trace their political good fortune to plurality in the executive.

Hamilton showed that plurality works not just against the executive itself but against the public, by tending "to conceal faults and destroy responsibility." "It often becomes impossible," he wrote, "to determine on whom the blame or the punishment of a pernicious measure, or series of pernicious measures, ought really to fall." In the Clintons' share of the matter now known simply as Whitewater, it has been impossible to sort out how much blame to place upon whom. Bill has responded publicly to reporters' questions but (as I write in late March) Hillary has largely avoided the real interview formats, on privacy

grounds, instead preferring to take schmooze questions from the likes of Eleanor Clift. Cleverly using plurality, Bill has defended his wife in terms that absolve her from any wrongdoing on the tough Whitewater questions ("No one I know has a stronger sense of right and wrong . . .") while urging inquiring reporters to let her "speak for herself" on some of her more outlandish claims, such as that a cabal of right-wing financial interests has concocted Whitewater to slander her. Given her relative inaccessibility on Whitewater, plurality in the executive has worked as Hamilton predicted: the public has been deprived of "the opportunity of discovering with facility and clearness the misconduct of the persons they trust, in order either to [effect] their removal from office, or to [effect] their actual punishment in cases which admit of it."

With the shadowy Hillary drawing widespread criticism, Hamilton has proved prophetic. For it was Hamilton who warned of "irreconcilable factions adhering differently to the different individuals" who comprise the presidency. In early March, demonstrators representing the National Organization of Women rallied in front of the White House in favor not of Bill but of Hillary. By month's end, Hillary's "constituents" Ann Lewis and Lynn Cutler were buying advertising in the *New York Times* to herald Hillary's public-policy contributions.

Fortunately for the Constitution and its friends, Bill Clinton's (or is it Hillary's?) plan to reinvent government does not include a constitutional amendment that would put into law the plural executive that the two have so disingenuously brought about. So, although it was not clear whether Bernard Nussbaum, Vince Foster, or Webster Hubbell reported to Hillary, whatever she does in the Clintons' presidency for good or ill will be accounted to Bill at the ballot box should he—I mean they—run for re-election. □

Terry Eastland is the author of Energy in the Executive: The Case for the Strong Presidency, now available in a paperback edition from the Free Press.

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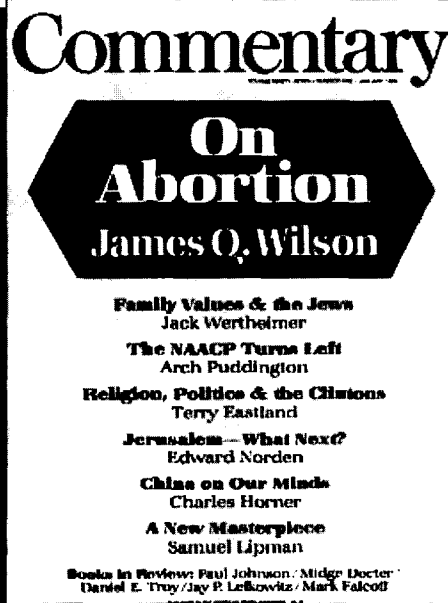
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COMMENTARY is accessible, and often brilliant, although it does make intellectual demands on its readers. The rewards? Greater awareness, more insight, and heightened clarity in one's own moral and political thinking.

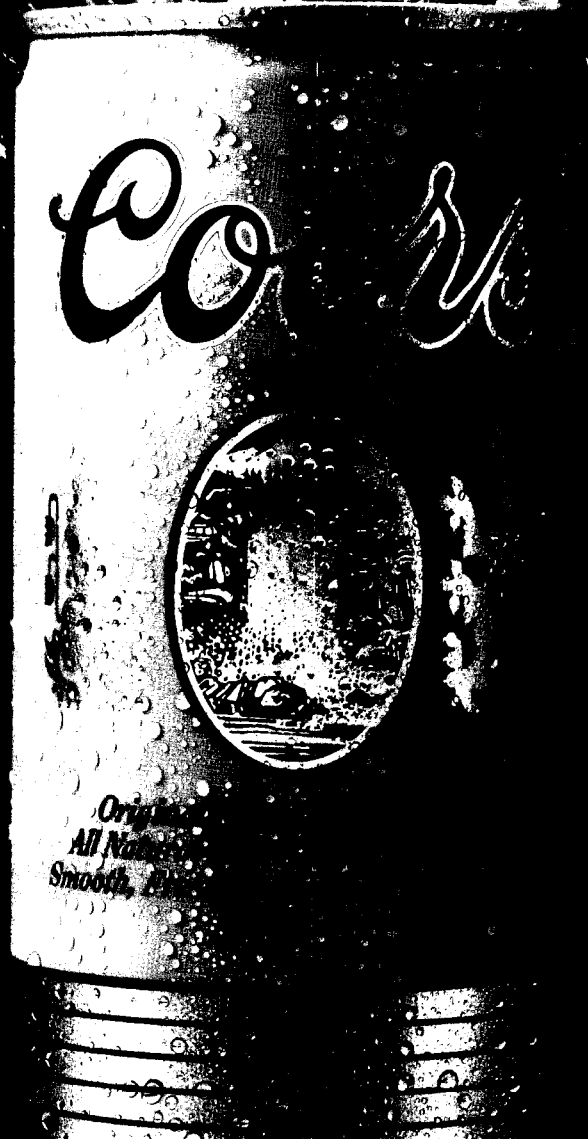
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